United Nations A/HRC/38/21

General Assembly

Distr.: General
23 April 2018

Original: English

Human Rights Council
Thirty-eighth session
18 June–6 July 2018
Agenda items 2 and 3
Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

Protection and promotion of all human rights, civil, political, economic, social and cultural rights, including the right to development

Addressing human rights protection gaps in the context of migration and displacement of persons across international borders resulting from the adverse effects of climate change and supporting the adaptation and mitigation plans of developing countries to bridge the protection gaps

Report of the United Nations High Commissioner for Human Rights

Summary

The present report is submitted pursuant to Human Rights Council resolution 35/20, in which the Council requested the Office of the United Nations High Commissioner for Human Rights to undertake research on human rights protection gaps in the context of cross-border movement resulting from the adverse effects of climate change and the necessary means of implementation for climate change adaptation and mitigation to bridge them, and to submit a report on that research to the Council at its thirty-eighth session. It concludes with several concrete recommendations for addressing those issues.

GE.18-06410(E)

1806410

Please recycle

Contents

		Page
I.	Introduction	3
II.	Impacts of climate change on human mobility and related human rights risks	3
	A. Relationship between climate change and human mobility	4
	B. Human rights risks posed by climate change-related human mobility	5
III.	Closing human rights protection gaps for climate change-related cross-border movement	7
	A. International law and policy frameworks that specifically address human mobility and/or climate change	7
	B. Applying international human rights law to protect persons crossing borders in response to the adverse effects of climate change	10
	C. Mobilizing the means of implementation for climate change adaptation and mitigation	12
IV.	Illustrative good practices	14
V.	Recommendations	16

I. Introduction

1. The present report is submitted pursuant to Human Rights Council resolution 35/20, in which the Council requested the Office of the United Nations High Commissioner for Human Rights (OHCHR) to undertake research on addressing human rights protection gaps in the context of migration and displacement of persons across international borders resulting from the sudden-onset and slow-onset adverse effects of climate change and the necessary means of implementation of adaptation and mitigation plans of developing countries to bridge the protection gaps, and to submit a report on that research to the Council at its thirty-eighth session.

2. In that resolution, the Council also called for an intersessional panel discussion, with the theme "Human rights, climate change, migrants and persons displaced across international borders". That discussion took place on 6 October 2017, and a summary report of the discussion was submitted to the Council.[1]

3. Throughout 2017, OHCHR, in collaboration with the Platform on Disaster Displacement, undertook research on the slow-onset adverse effects of climate change and human rights protection for cross-border migrants. OHCHR held an expert meeting on the subject on 5 October 2017 and submitted a conference room paper to the Council at its thirty-seventh session.[2]

4. To further inform its research, OHCHR transmitted a note verbale and questionnaire to all Member States requesting their inputs. Additional requests for inputs were sent to international organizations, national human rights institutions and civil society.[3]

5. The panel discussion, written inputs, consultations and independent research informed the present report, which examines the impacts of climate change on human mobility,[4] human rights protection gaps for those crossing international borders in response to the adverse effects of climate change, and the relevant human rights obligations of States. The report shares illustrative good practices and concludes with recommendations for fulfilling human rights obligations in the context of climate change-related cross-border human mobility.

II. Impacts of climate change on human mobility and related human rights risks

6. Climate change is an increasingly important driver of human mobility. The Internal Displacement Monitoring Centre estimates that, on average, 21.7 million people were internally displaced each year in the period 2008–2016 by weather-related disasters.[5] Similar global data is not available on cross-border displacement, but the two forms of displacement are linked and internal displacement figures can help to illustrate the potential

[1] A/HRC/37/35.

[2] See www.ohchr.org/Documents/Issues/ClimateChange/SlowOnset/A_HRC_37_CRP_4.pdf.

[3] For information about the Council panel discussion, the expert meeting, the note verbale, the questionnaire and inputs received, see www.ohchr.org/EN/Issues/HRAndClimateChange/Pages/HRClimateChangeAndMigration.aspx (stakeholder inputs are referenced here as "name" input).

[4] There is no universal legal definition or agreed terminology that describes people who move in the context of climate change. For the present report, such movement is referred to broadly as "human mobility" or "movement". The term "displacement" is used to describe movements that are predominately forced, while "migration" is used to describe movement that is not predominately forced but nonetheless may not be entirely voluntary. Where reference is made to people with specific legal entitlements under international law, such as refugees, this is indicated. The term "migrant" refers to any person outside a State of which they are a citizen or national or, in the case of a stateless person, their State of birth or habitual residence.

[5] See Internal Displacement Monitoring Centre, "Global Report on Internal Displacement" (Geneva, 2017), p. 3. Available at www.internal-displacement.org/global-report/grid2017/pdfs/2017-GRID.pdf.

scope of climate change-related displacement.[6] Notably, the above figure does not account for those who moved in whole or in part owing to the slow-onset adverse effects of climate change, such as sea level rise, salinization of groundwater resources, changing precipitation patterns and desertification. The actual number of persons whose decisions to move were affected by climate change is likely to be higher. In its *Fifth Assessment Report*,[7] the Intergovernmental Panel on Climate Change found that climate change would increase future levels of displacement and that populations lacking the resources for planned migration experienced higher exposure to extreme weather events, in particular in developing countries with low incomes.

7. As the Human Rights Council mentions in its resolution 35/20, the adverse effects of climate change have a range of implications for the effective enjoyment of human rights, including the rights to life, food, health, housing, self-determination, water and sanitation, and development. The negative impacts of climate change on health and children have been the subject of two previous reports to the Council by OHCHR.[8] Those impacts can drive human mobility, and when people move out of necessity rather than free choice, they may face a heightened risk of human rights violations.[9]

A. Relationship between climate change and human mobility

8. The relationship between climate change and human mobility is complex. According to the New York Declaration for Refugees and Migrants, people may move to escape armed conflict, poverty, food insecurity, persecution, terrorism, human rights violations and abuses, the adverse effects of climate change, natural disasters (some of which may be linked to climate change), other environmental factors and for a combination of those reasons.

9. Given that, establishing clear causality between the adverse effects of climate change and human movement can be difficult. Decisions to move, even when the adverse effects of climate change are the predominant driver, can be compounded by violations of economic, social, cultural, civil and political rights, some of which may themselves be caused or exacerbated by climate change. According to the Intergovernmental Panel on Climate Change, by amplifying well-documented drivers of conflict, such as poverty and economic shocks, climate change can also indirectly increase the risk of violent conflict.[10] Those complexities pose substantial challenges for quantitative research and can inhibit understanding of the climate change/human mobility nexus, as well as the potential effects of climate change mitigation and adaptation on human mobility.

10. Nevertheless, it is clear that climate change substantially contributes to human rights harms and related human movement.[11] The adverse effects of climate change have a range of implications for the effective enjoyment of human rights. For example, in 2008, it was estimated that roughly half of the world's hungry people relied on degraded lands that will suffer largely negative effects from climate change for their subsistence.[12] It is also estimated that climate change will have a major impact on the people living without access

[6] It is important to note that the majority of climate change-related movement, at least at first, is likely to be internal. See F. Gemenne, "Migration doesn't have to be a failure to adapt" in *Climate Adaptation Futures* (John Wiley & Sons, 2013), p. 238; and K. Warner and T. Afifi, "Enhancing Adaptation Options and Managing Human Mobility: The United Nations Framework Convention on Climate Change", *Social Research: An International Quarterly*, vol. 81, No. 2 (2014) p. 307.

[7] Available at www.ipcc.ch/pdf/assessment-report/ar5/syr/SYR_AR5_FINAL_full_wcover.pdf.

[8] A/HRC/32/23 and A/HRC/35/13.

[9] See A/HRC/37/34, paras 12–14.

[10] See *Fifth Assessment Report* (footnote 7 above).

[11] Some international human rights mechanisms have recognized that climate change-related disasters threaten the enjoyment of human rights and are a push factor in women's migration. See, for example, Committee for the Elimination of Discrimination against Women general recommendation No. 37 (2018) on gender-related dimensions of disaster risk reduction in the context of climate change, para. 74.

[12] See A/HRC/7/5, para. 51.

to an adequate water supply.[13] When people lack access to food, water and other necessities, in order to survive, they may attempt to move internally or across borders. The failure of Governments to undertake effective climate change mitigation and adaptation can be an additional push factor for mobility and can exacerbate the situation of the most vulnerable persons who are unable to move. Sometimes, mitigation and adaptation measures themselves can adversely affect the enjoyment of human rights and drive human movement.[14] For instance, some hydroelectric and biofuel projects have resulted in forced evictions, and the planned relocation of those exposed to the adverse effects of climate change involves high risks of human rights harms.

11. As OHCHR confirmed in its study on the slow-onset effects of climate change and human rights protection for cross-border migrants, including its regional case studies on South Asia, the Sahel, the Pacific islands and Central America, climate change-related cross-border movement is most likely to involve movements between developing countries.[15] The study makes the qualitative case that climate change can drive cross-border movement. It describes, for example, how cross-border movement serves a critical adaptive function for those facing drought and desertification in the Sahel[16] and is also an adaptive response in Pacific island States endangered by rising sea levels and the increasing frequency and intensity of extreme weather events.[17]

12. Available data on cross-border movement related to natural disasters further reveals the potential scope of such climate change-related movement, highlighting the need for improved data collection. For example, in 2011, the Office of the United Nations High Commissioner for Refugees (UNHCR) estimated that, 290,000 Somalis would flee across the border into neighbouring countries, mainly to Ethiopia and Kenya, while more than 1.3 million were estimated to have been internally displaced; such movements could be connected to drought, famine, ongoing conflict, insecurity and human rights violations.[18] Similarly, in 2009, after Cyclone Aila, it was reported that thousands of Bangladeshis had moved to India.[19] Those examples illustrate that the adverse effects of climate change may contribute, along with other factors, to both internal and cross-border movement, which threatens the enjoyment of human rights.

B. Human rights risks posed by climate change-related human mobility

13. As the Human Rights Council stated in its resolution 35/20, the adverse effects of climate change are felt most acutely by those segments of the population that are already in vulnerable situations owing to factors such as geography, poverty, gender, age, indigenous or minority status, national or social origin, birth or other status and disability. Climate change poses an existential threat to inhabitants of small island-states and low-lying coastal countries, to millions of people facing hunger in Africa, and to countless others who have contributed so little to its causes, yet find themselves at risk.[20] For example, according to

[13] See A/HRC/10/61, para. 29.

[14] See www.ohchr.org/Documents/Issues/ClimateChange/SlowOnset/A_HRC_37_CRP_4.pdf.

[15] See B. Mayer, "The International Legal Challenges of Climate-Induced Migration: Proposal for an International Legal Framework", in *Columbia Journal of International Environmental Law and Policy*, vol. 22, No. 3 p. 397 (2011); and German Advisory Council on Climate Change, *Climate Change as a Security Risk* (Berlin, 2008), p. 118.

[16] See www.ohchr.org/Documents/Issues/ClimateChange/SlowOnset/A_HRC_37_CRP_4.pdf; and World Bank, *Turn Down the Heat: Confronting the New Climate Normal* (Washington, D.C., 2014), p. 144.

[17] See www.ohchr.org/Documents/Issues/ClimateChange/SlowOnset/A_HRC_37_CRP_4.pdf; and Nansen Initiative, "Human Mobility, Natural Disasters and Climate Change in the Pacific" (2013).

[18] See UNHCR Global Report on Somalia (2011). Available at www.unhcr.org/publications/fundraising/4fc880a70/unhcr-global-report-2011-somalia.html.

[19] See Nansen Initiative, "Climate Change, Disasters, and Human Mobility in South Asia and Indian Ocean" (2015), p. 14.

[20] According to one 2015 estimate, roughly 95 per cent of internal displacement over the previous several years had occurred in developing countries. See Internal Displacement Monitoring Centre, "Global Estimates 2015: People displaced by disasters" (Geneva, 2015), p. 9. Available at

the United Nations Children's Fund (UNICEF), the more than 500 million children living in areas with high flood occurrence and 160 million in high drought zones are exceptionally vulnerable.[21]

14. Vulnerability implies less adaptive capacity and can be both "situational" and "personal".[22] It can result from multiple and intersecting forms of discrimination, inequality and structural and societal dynamics that lead to diminished and unequal levels of power and enjoyment of rights.[23] The negative impacts of climate change can reduce adaptive capacity and affect a person's ability to move, the freedom with which they choose to do so, and their vulnerability before, during and after migration. Vulnerability may occur throughout migration and regardless of whether or not movement was "voluntary". It can be enhanced by restrictive migration and border control policies.

15. Although climate change poses unique threats, the risks faced by persons moving because of climate change are similar to those faced by all migrants in vulnerable situations who are unable to have access to safe, affordable and regular migration pathways. They may experience difficulty in exercising their rights throughout the entire migration process and be denied entry through punitive border control regimes. Migration can expose migrants to difficult working conditions and subject them to exploitation, marginalization and human rights violations, in particular if they are in irregular situations. Importantly, some of those most affected by climate change may also be trapped in place and unable to access migration pathways at all.[24]

16. In general, climate change-related cross-border migrants are likely to experience difficulty in gaining access to basic necessities, such as food, water, adequate health care and housing. Other factors — such as reduced access to health-care facilities, goods and services, loss of social safety networks, threats to the economic and social determinants of health, increased exposure to disease vectors and stigmatization and discrimination — also have a negative impact on the physical and mental health of persons moving in response to climate change.

17. Persons moving in response to climate change can be made more vulnerable through increasing barriers to international migration, including its criminalization, migration policies based on deterrence, border restrictions, restrictions on migrants' access to labour markets and a lack of safe, accessible and regular migration pathways for work, education, family unity and humanitarian needs.

18. When persons adversely affected by climate change cross international borders in an irregular manner, they may face expulsion, xenophobia, discrimination, social exclusion and/or persecution, including heightened threats of arbitrary detention, sexual exploitation, human trafficking, violent attack, rape and torture.[25]

19. The human rights risks posed by human mobility can be particularly severe for those disproportionately affected by climate change. For example, the displacement of indigenous peoples and the potential loss of their traditional lands, territories and resources threaten their cultural survival, traditional livelihoods and right to self-determination. Displacement, even as an adaptation strategy or in the context of planned relocation, can prove an existential threat to the enjoyment of their rights and their existence as peoples.

---

www.internal-displacement.org/assets/library/Media/201507-globalEstimates-2015/20150713-global-estimates-2015-en-v1.pdf.

[21] See UNICEF, *Unless we act now: The impact of climate change on children* (New York, 2015). Available at www.unicef.org/publications/files/Unless_we_act_now_The_impact_of_climate_change_on_children.pdf.

[22] See A/HRC/37/34, paras. 13–15. See also UNHCR, "Migrants in vulnerable situations" (2017), available at www.refworld.org/pdfid/596787174.pdf.

[23] See A/HRC/37/34, para. 13.

[24] The International Organization for Migration (IOM) refers to such situations as "forced immobility". See also D. Ionesco, D. Mokhnacheva and F. Gemenne, *The Atlas of Environmental Migration* (Routledge, 2017), p. 2.

[25] See A/HRC/37/35, para. 7.

20. Likewise, children who migrate or whose parents migrate due to climate change may be separated from their cultural heritage and face difficulties accessing schools, adequate health care and other necessities.[26] Refugee and other migrant children that miss educational opportunities and/or are left behind by caregivers may suffer long-term socioeconomic impacts, neglect, abuse and exploitation.[27]

21. Climate change-related migration can also exacerbate pre-existing inequalities and intensify gender-specific dimensions of discrimination and poverty.[28] According to the Committee for the Elimination of Discrimination Against Women, in its general recommendation No. 37 (2018) on gender-related dimensions of disaster risk reduction in the context of climate change, women migrants face a heightened risk of gender-based violence, including human trafficking and other forms of discrimination. They may also face specific human rights violations owing to a lack of adequate sexual, reproductive and mental health services, as well as discrimination in accessing employment, social security, education, housing, legal documents and justice. Women who migrate may also be vulnerable to climate change impacts in destination areas. Furthermore, gender-based stereotypes, household responsibilities, discriminatory laws, lack of economic resources and limited access to social capital frequently restrict the ability of women to migrate.

22. Those disproportionately affected by climate change — including migrants — are not inherently vulnerable and do not necessarily lack resilience or agency. They should not be treated as victims. On the contrary, they must be recognized as agents, actors and leaders in addressing climate change and its impacts including those related to human mobility. In the Sendai Framework for Disaster Risk Reduction 2015–2030, for example, it is recognized that migrants contribute to the resilience of communities and societies, and their knowledge, skills and capacities can be useful in the design and implementation of disaster risk reduction. Empowering migrants affected by climate change to contribute to and benefit from climate change mitigation and adaptation efforts will require closing human rights protection gaps and ensuring their access to information, decision-making processes and justice.

III. Closing human rights protection gaps for climate change-related cross-border movement

23. The human rights protection gaps for persons crossing borders in response to climate change result from, inter alia, legal and policy gaps, including failure to implement human rights obligations, inadequate understanding of the linkages between human rights, climate change and human mobility, and insufficient means of implementation to support climate change mitigation and adaptation, including safe, orderly and regular migration.

A. International law and policy frameworks that specifically address human mobility and/or climate change

1. Refugee law

24. Although people on the move in climate contexts may experience similar hardships as refugees, the definition of refugee under the Convention relating to the Status of Refugees excludes the majority of people who cross international borders because of climate change.[29] The Convention defines a refugee as a person outside their country of nationality or habitual residence that cannot return owing to a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social

[26] See A/HRC/35/13, para. 27; and UNICEF input.

[27] UNICEF input.

[28] See *Atlas of Environmental Migration* (footnote 24 above), p. 90.

[29] See J. McAdam, "Climate Change Displacement and International Law: Complementary Protection Standards", (2011), pp. 12–14. Available at www.unhcr.org/protection/globalconsult/4dff16e99/19-climate-change-displacement-international-law-complementary-protection.html.

group or political opinion. Unsuccessful attempts by citizens of Kiribati and Tuvalu to claim refugee status in Australia and New Zealand illustrate the difficulties, under international refugee law, of claiming protection from climate change.[30]

25. The above-mentioned Convention may offer protection to those affected by climate change in a limited set of circumstances[31] where, inter alia: (a) a national authorities' denial of protection from the adverse effects of climate change amounts to persecution; (b) national authorities use the negative impacts of climate change to persecute particular groups or individuals; and (c) serious human rights violations or armed conflict triggered by climate change causes people to flee based on a well-founded fear of persecution. In those cases, protection is centred on action/inaction by national authorities that constitutes persecution on prohibited grounds rather than the adverse effects of climate change.[32]

26. At the regional level, the African Union Convention Governing the Specific Aspects of Refugee Problems in Africa and the Cartagena Declaration on Refugees have adopted broader definitions of the term "refugee" that increase the possibility of refugee status and protections applying to persons displaced by climate change.[33] The Convention extends refugee status to persons who, owing to events seriously disturbing public order, are compelled to seek refuge outside their country of origin or nationality.[34] Similarly, the Declaration extends the definition to persons who have fled their country because their lives, safety or freedom have been threatened by "massive violation of human rights or circumstances which have seriously disturbed public order".[35]

2. Environmental law and policy

27. Environmental law, including climate change law, sometimes addresses human mobility and related protection needs. The Rio Declaration on Environment and Development outlines the foundational principles of international environmental law, including common but differentiated responsibility, the precautionary principle, cooperation, responsibility towards future generations, access to information, participation, access to justice and sustainable development. Those principles are reaffirmed in the 2030 Agenda for Sustainable Development, which sought to realize human rights for all persons. The 2030 Agenda calls for international cooperation to achieve sustainable development and includes specific goals on orderly, safe, regular and responsible migration as well as climate change.

28. Key environmental law principles are also reflected in legally binding multilateral environmental agreements, such as the United Nations Framework Convention on Climate Change and the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa. In recent years, the Conferences of the Parties to those Conventions have addressed human mobility.[36]

29. The Framework Convention, its Kyoto Protocol and the Paris Agreement under the Convention, call for States to act jointly and separately to mitigate climate change and adapt to its adverse effects, including the impacts of climate change on human health.

---

[30] See Refugee Appeal No. 72189/2000 (New Zealand); Refugee Review Tribunal Case No. 0907346 (Australia); and *Ioane Teitiota v. The Chief Executive of the Ministry of Business, Innovation and Employment* (Supreme Court of New Zealand, 2013).

[31] See W. Kälin and N. Schrepfer, "Protecting People Crossing Borders in the Context of Climate Change: Normative Gaps and Possible Approaches", (2012), pp. 32–34. Available at www.unhcr.org/4f33f1729.pdf.

[32] Ibid. See also UNHCR, "Legal considerations on refugee protection for people fleeing conflict and famine affected countries" (2017). Available at www.refworld.org/docid/5906e0824.html.

[33] See B. Havard, "Seeking Protection: Recognition of Environmentally Displaced Persons under International Human Rights Law", in *Villanova Environmental Law Journal*, Vol. XVIII (2007), pp. 76–77; and J. Cooper, "Environmental Refugees: Meeting the requirements of the refugee definition", in *New York University Environmental Law Journal*, vol. 6 (2) (1998), p. 497.

[34] See Convention Governing the Specific Aspects of Refugee Problems in Africa, art. I. 2.

[35] See Cartagena Declaration on Refugees, art. III (3).

[36] See, for example, part two of the report of the Conference of the Parties on its thirteenth session, held in Ordos, China, from 6 to 16 September 2017 (ICCD/COP(13)/21/Add.1).

While the Convention does not explicitly address migration, the preamble to the Paris Agreement calls upon all States to respect, promote and consider the rights of migrants when taking climate action. The ongoing work of the Conference of the Parties to the Convention and its subsidiary bodies, including the Task Force on Displacement of the Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts, provide a forum for discussing issues related to the protection of those displaced by the adverse effects of climate change. The Task Force and the Executive Committee of the Mechanism are mandated to develop recommendations for integrated approaches to avert, minimize and address displacement related to climate change.

30. Regional environmental agreements may also protect migrants affected by climate change. The Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (the Aarhus Convention) recognizes the right of every person to live in an environment adequate to ensure their health and well-being and establishes legally binding obligations related to access to information, participation in decision-making and access to justice in environmental matters. In March 2018, a similar agreement was adopted by 24 Latin American and Caribbean States.[37]

3. Global compacts

31. The New York Declaration for Refugees and Migrants identifies climate change, disasters and environmental degradation as drivers of human movement that require cooperative, rights-based responses. It calls for preparation of two global compacts — on refugees and on safe, orderly and regular migration — to further its objectives, which include a framework for comprehensive international cooperation on human mobility including human rights protection. According to the Secretary-General, the compact on migration must protect human rights for all and both compacts must respond to the reality that climate change is likely to exacerbate economic, environmental and social pressures to migrate over the next few decades.[38] Current drafts of each compact have made explicit reference to environmental degradation, disaster or climate change. For example, the "zero draft plus" of the global compact on safe, orderly and regular migration[39] calls for the development of tailored migration schemes to facilitate migration as an adaptation strategy to slow-onset environmental degradation related to the adverse effects of climate change.

4. Other relevant law and policy frameworks

32. In rare circumstances, the Convention relating to the Status of Stateless Persons might protect people fleeing the adverse effects of climate change; however, it does not apply to or respond to the needs of most people fleeing the adverse effects of climate change.[40]

33. Although not legally binding, there are also many policy processes and instruments that address important aspects of human mobility in the context of climate change. The Sendai Framework for Disaster Risk Reduction aims to substantially reduce disaster risks, strengthen disaster risk governance and enhance disaster preparedness, particularly for vulnerable populations. The Framework explicitly addresses climate change and disaster displacement. It includes guiding principles that call for promoting and protecting all human rights and developing coherent policies across the climate change, disaster risk reduction and sustainable development agendas.

34. The International Organization for Migration (IOM), through the regular meetings of its governing bodies, offers a platform for State-led efforts to address environmental

[37] See https://negociacionp10.cepal.org/9/en/news/latin-america-and-caribbean-adopts-its-first-binding-regional-agreement-protect-rights-access.

[38] See A/72/643, paras. 1, and 51–52.

[39] Available at https://refugeesmigrants.un.org/sites/default/files/2018mar05_zerodraft.pdf.

[40] See S. Park, "Climate Change and the Risk of Statelessness: The Situation of Low-Lying Island States", (2011), p. 3, available at www.unhcr.org/4df9cb0c9.pdf. See also "Protecting People Crossing Borders" (footnote 32 above), pp. 32–34.

migration, including aspects of a human rights-based approach.[41] Environmental migration has also been discussed and addressed through State-led regional consultative processes on migration.[42] In the Americas, the Regional Conference on Migration has adopted a guide to effective practices for its member countries,[43] which articulates a rights-based approach to the protection of persons crossing borders because of disasters.

35. The Nansen Initiative, a State-led, multi-stakeholder, consultative process, specifically addressed cross-border displacement in the context of disasters and climate change. The Initiative's Protection Agenda,[44] endorsed by 109 States, calls for the integration of human rights-based approaches in disaster risk reduction, adaptation measures, and sustainable development efforts. The Agenda calls for managed human mobility, including the broadened application of humanitarian protection measures and the use of planned relocation as a last resort.

36. Although important, the above-mentioned instruments fail to provide comprehensive protection of persons crossing borders in the context of climate change. Therefore, it falls to international human rights law to provide protection and guide the development and interpretation of new and existing instruments.

B. Applying international human rights law to protect persons crossing borders in response to the adverse effects of climate change

37. In the context of climate change-related cross-border movement, international human rights law, norms and standards offer the most comprehensive, people-centred and flexible framework for the protection of all migrants in vulnerable situations, including those affected by climate change. All persons are rights-holders and all States have ratified at least one international human rights treaty.[45] Human rights treaties, such as the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, impose obligations on all States to respect, protect and fulfil human rights for all without discrimination. Further, "human rights obligations, standards and principles have the potential to inform and strengthen international, regional and national policymaking in the area of climate change".

38. In its key messages on human rights and climate change,[46] OHCHR prescribed a rights-based approach to climate action. It called upon States to mitigate climate change and prevent its negative human rights impacts; to ensure all persons have the capacity and means to adapt to climate change; and to ensure accountability and access to remedies for human rights harms caused by climate change. In the specific context of human mobility, which can place people in precarious conditions, it is important to further elaborate on those human rights obligations.

39. If persons crossing borders because of the adverse effects of climate change fall outside the specific legal category of "refugee" and have no other access to safe, orderly or regular migration, it becomes especially critical to ensure that their human rights are respected, protected and fulfilled.[47] The Global Migration Group Working Group on Human Rights and Gender Equality, which is co-chaired by OHCHR, recently submitted to the Human Rights Council its Principles and practical guidance on the human rights

[41] See, for example, www.iom.int/jahia/webdav/shared/shared/mainsite/about_iom/en/council/94/MC_INF_288.pdf.

[42] See www.iom.int/inter-state-consultation-mechanisms-migration.

[43] Available at https://disasterdisplacement.org/wp-content/uploads/2016/11/PROTECTION-FOR-PERSONS-MOVING-IN-THE-CONTEXT-OF-DISASTERS.pdf.

[44] Available at https://nanseninitiative.org/wp-content/uploads/2015/02/PROTECTION-AGENDA-VOLUME-1.pdf.

[45] In total, 133 countries have ratified more than 10 such treaties. See OHCHR, Status of Ratification, available at http://indicators.ohchr.org/.

[46] Available at www.ohchr.org/Documents/Issues/ClimateChange/KeyMessages_on_HR_CC.pdf.

[47] See A/HRC/37/34, para. 8.

protection of migrants in vulnerable situations,[48] in which it articulates the human rights protections to which all migrants in vulnerable situations, including those affected by climate change, are entitled as well as their normative foundations.

40. In its Key Messages on Human Rights, Climate Change and Migration,[49] OHCHR further highlights the human rights obligations and responsibilities of States and other duty-bearers addressing climate change-related human mobility challenges.

41. To comply with those obligations, States should facilitate migration with dignity for all migrants, including those affected by climate change, and address their specific human rights protection needs. Protection needs include water and sanitation, adequate food and housing, and access to health care, social security, education and decent work. They also entail upholding the fundamental principle of non-refoulement and the prohibition of collective expulsion, as well as the rights to liberty, personal integrity and family unity; and ensuring the best interests of the child. States should put in place appropriate mechanisms to guarantee that all migrants who require human rights protection and are unable to return to their countries because of climate change are provided with an effective legal status.

42. States are obligated to protect against displacement because it threatens the effective enjoyment of a broad array of rights under the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights. States should therefore address the underlying causes that force people to move by pursuing ambitious climate change mitigation in accordance with the objectives of the Paris Agreement. To further reduce the risk of climate change-related displacement, States should employ effective adaptation measures, including with respect to disasters, extreme weather events and slow-onset processes. Efforts to address the root causes of displacement in the context of climate change should seek to protect rights, strengthen social protection systems, reduce disaster risk and exposure and increase adaptive capacity.

43. Non-discrimination and equality are core human rights principles reflected in the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights and all human rights instruments, including the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Elimination of All Forms of Racial Discrimination. By disproportionately affecting those already marginalized, climate change threatens States' commitments related to non-discrimination and equality. States, therefore, must account for the different needs, capacities and vulnerabilities of those individuals most affected by climate change.

44. Freedom of movement, including movement away from climate change-affected areas, is a fundamental right and may allow individuals and communities to avoid the adverse effects of climate change and improve resilience. The International Covenant on Civil and Political Rights guarantees the rights of all persons to leave any country, including their own, and to move freely and choose their place of residence within a country once lawfully present. Those rights should be protected and may only be limited if necessary to safeguard a State's national security, public order, public health or morals, or the rights or freedom of others.[50] Furthermore, the International Covenant on Civil and Political Rights provides that any migrant seeking to return to his or her own country must not be arbitrarily deprived of the right to do so.

45. Articles 6 and 7 of the International Covenant on Civil and Political Rights guarantee the rights to life and freedom from cruel, inhuman or degrading treatment or punishment. States must not return a migrant who may face these situations, or other

[48] A/HRC/37/34/Add.1.

[49] Available from www.ohchr.org/Documents/Issues/ClimateChange/Key_Messages_HR_CC_Migration.pdf.

[50] The Human Rights Committee has clarified that any restrictions must be consistent with the State's international human rights obligations. See Human Rights Committee, general comment No. 15 (1986) on the position of aliens under the Covenant, para. 8.

serious human rights violations.[51] They should consider measures to admit persons from and/or refrain from returning persons to areas adversely affected by climate change. States are bound by the fundamental principle of non-refoulement to ensure appropriate protection for any persons subject to their jurisdiction or effective control. That means they should refrain from returning persons to an area where there is a high likelihood that climate change-related risks threaten human rights.

46. The International Covenant on Civil and Political Rights and other human rights instruments guarantee all persons the right to information and participation in public affairs. State actions and decisions related to human mobility and climate change should involve the meaningful and informed participation of the most affected persons. Decision-making should be transparent and empower affected persons. For decisions or actions that impact indigenous peoples' rights, States must obtain their free, prior and informed consent in accordance with the United Nations Declaration on the Rights of Indigenous Peoples.

47. Planned relocation can respond to the predicted impacts of climate change by moving individuals and communities away from unsafe areas. However, it should be a measure of last resort.[52] In order to respect, protect and fulfil the right to housing under the International Covenant on Economic, Social and Cultural Rights, States must refrain from, and protect against, forced evictions by ensuring any relocation of persons is grounded in human rights. Planned relocation should also involve the meaningful and informed participation of all affected persons, including migrants and receiving communities and maintain their previous living standards.

48. Finally, the International Covenant on Civil and Political Rights and other human rights instruments require all persons to have access to justice, including effective remedies. States are required to provide effective mechanisms to prevent and redress human rights harms resulting from the adverse effects of climate change, and from climate change mitigation and adaptation. This is critical for migrants who are often unable to access justice due to the conditions they face before, during and after migration. States must be accountable for their contribution to human rights harms regardless of where they occur. Accountability should also include businesses and actors that have contributed to the causes of climate change or violated human rights in their mitigation and adaptation actions.

C. Mobilizing the means of implementation for climate change adaptation and mitigation

49. The preceding analysis demonstrates that climate change drives cross-border movement, that persons affected by climate change face unique human rights risks throughout their movement, and that international human rights law offers the most effective protection. Mobilizing the means of implementation for effective climate change adaptation and mitigation is also critical to prevent displacement and ensure human rights protection for persons on the move because of climate change.

50. The individual and collective mobilization of resources to address foreseeable human rights harms caused by climate change is, in and of itself, a human rights obligation.[53] International assistance for climate change mitigation and adaptation should be in addition to existing commitments and should be mobilized on the basis of equity and in accordance with the principle of common but differentiated responsibility. Pursuant to relevant human rights principles, climate assistance should be adequate, effective and transparent, should be administered through participatory, accountable and non-

[51] Human rights mechanisms have underlined that, under international human rights law, the prohibition of refoulement is absolute.

[52] See Brookings Institution, Georgetown University and UNHCR, "Guidance on Protecting People from Disasters and Environmental Change through Planned Relocation" (2015). Available at www.refworld.org/docid/596f15284.html.

[53] The International Covenant on Economic, Social and Cultural Rights calls for States to act individually and collectively to mobilize and allocate the maximum available resources for the progressive realization of economic, social and cultural rights.

discriminatory processes, and should benefit those most in need, including persons on the move.

51. Read collectively, the Charter of the United Nations, the International Covenant on Economic, Social and Cultural Rights, the United Nations Framework Convention on Climate Change, the Declaration on the Right to Development, and other instruments, including those related to international labour standards, reinforce that States have human rights obligations to cooperate and mobilize the necessary means of implementation to ensure the safety and dignity of all persons, including those crossing borders in response to the adverse effects of climate change. These efforts should respect basic principles of climate justice, including the commitments of parties to protect the rights of persons disproportionately affected by climate change and future generations.

52. Importantly, ensuring the means of implementation for climate change mitigation and adaptation to close protection gaps requires more than simply mobilizing financial resources. Technology, for example, is a critical means of implementation. Under the International Covenant on Economic, Social and Cultural Rights, everyone has the right to enjoy the benefits of science and its applications. Effective climate change mitigation and adaptation technologies should be developed and equitably distributed under the technology facilitation mechanism of the Paris Agreement, which specifically calls for support to be provided to developing countries.

53. In addition to calling upon developed countries to mobilize $100 billion per year in climate finance to address the needs of developing countries, the Addis Ababa Action Agenda of the Third International Conference on Financing for Development also speaks of transparent methodologies for reporting climate finance; technology transfer to address climate change; capacity-building, including to improve access to climate finance; policy coherence throughout the different aspects of sustainable development; and improved data collection to inform evidence-based policies. The Action Agenda specifically calls for funding to address climate change and disaster resilience, an even split between adaptation and mitigation funding, and directing climate finance towards vulnerable countries in accordance with the principle of common but differentiated responsibility. It further emphasizes the importance of providing safe and fair channels for remittances, and calls for international cooperation to ensure safe, orderly and regular migration with full respect for human rights.

54. The 2030 Agenda for Sustainable Development, the Addis Ababa Action Agenda, the Sendai Framework and the Paris Agreement are all interlinked and represent a considerable international commitment, with human rights at the core, to mobilize diverse means of implementation for climate change mitigation and adaptation; the promotion of safe, orderly and regular migration; disaster risk reduction; and sustainable development that leaves no one behind.

55. Because the International Covenant on Civil and Political Rights, the Declaration on the Right to Development and other human rights instruments guarantee all persons the right to free, active, meaningful and informed participation in public affairs, it is important that the means of implementation for climate change mitigation and adaptation measures are the result of informed and participatory decision-making processes. People are the agents of change who must be empowered to achieve effective climate action, including, when necessary, by taking decisions freely to move in conditions of safety and dignity. That empowerment requires transparent and inclusive institutions and processes, as well as accurate and accessible measurements of greenhouse gas emissions, climate change and its human rights impacts. Sufficient regular pathways for cross-border movement are a prerequisite. Participation in decision-making, as well as the monitoring, review and verification of climate change impacts and commitments, are critical in order to close protection gaps by ensuring the effective mobilization of means of implementation for climate change mitigation and adaptation. Integrating human rights, including the rights of migrants, in the guidelines for implementation of the Paris Agreement (currently under

negotiation) offers an opportunity to help ensure the effective mobilization of resources for climate change mitigation and adaption measures that protect persons on the move.[54]

56. Furthermore, businesses also have a role to play in mobilizing resources to achieve international objectives related to climate change mitigation and adaptation, and human mobility. For example, article 6 of the Paris Agreement calls upon parties to incentivize and facilitate the private sector's participation in climate change mitigation. In doing so, States should include adequate safeguards and take effective measures to protect human rights from business harms in line with their obligations under the Guiding Principles on Business and Human Rights. Businesses should participate responsibly in climate change mitigation and adaptation efforts with full respect for human rights.

IV. Illustrative good practices

57. The following analysis highlights some illustrative good practices in promoting a rights-based approach to human mobility challenges posed by climate change that were identified through stakeholder inputs and OHCHR research.

58. Collective efforts by United Nations agencies, States and other stakeholders are needed to address the complex intersection of human rights, human mobility and climate change. Part III of the present report contains a number of multi-stakeholder efforts to develop legal and policy frameworks that protect persons crossing borders in the context of climate change. The State-led Platform on Disaster Displacement[55] was established to follow up on the work of the Nansen Initiative and to implement its protection agenda. The Platform aims to strengthen the protection of people displaced across borders in the context of disasters, including those linked to the effects of climate change, and to prevent or reduce disaster displacement risks. Other multi-stakeholder efforts include, for example, the Framework for Resilient Development in the Pacific, which adopts a human rights-based approach and includes specific guidance related to disaster risk reduction and migration;[56] and the Global Knowledge Partnership on Migration and Development, which contributes to better understanding of the determinants of human movement.[57]

59. International reporting and communications processes under the Framework Convention, the Human Rights Council and the human rights treaty bodies can play an important role in the development, monitoring and review of national policies related to human rights, human mobility and climate change. For example, 33 out of 162 intended nationally determined contributions to the Framework Convention before the twenty-first Conference of the Parties referenced some form of mobility.[58] Unfortunately, research indicates that the number of States including references to human rights in their communications to the Framework Convention or to the adverse effects of climate change during their Human Rights Council universal periodic review are similarly limited.[59] Climate change and human mobility have also come up in the work of human rights treaty

[54] For more information on integrating human rights in the guidelines, see www.ohchr.org/EN/Issues/HRAndClimateChange/Pages/UNFCCC.aspx.

[55] See https://disasterdisplacement.org/.

[56] See Pacific Community, Secretariat of the Pacific Regional Environment Programme, Pacific Islands Forum Secretariat, United Nations Development Programme, United Nations Office for Disaster Risk Reduction and the University of the South Pacific, *Framework for Resilient Development in the Pacific: An Integrated Approach to Address Climate Change and Disaster Risk Management, 2017–2030*, (Suva, 2016). Available at https://pacificclimatechange.net/sites/default/files/documents/FRDP_2016_Resilient_Dev_pacific.pdf.

[57] See www.knomad.org/.

[58] See IOM, "Migration in the Intended Nationally Determined Contributions and Nationally Determined Contributions" (2016), available at www.environmentalmigration.iom.int/sites/default/files/MECC%20Infosheet%20INDCs%20and%20NDCs_14Sep2016_for%20web.pdf.

[59] See Mary Robinson Foundation, "Climate Justice: Incorporating Human Rights into Climate Action" (May 2016), available at www.mrfcj.org/wp-content/uploads/2016/05/Incorporating-Human-Rights-into-Climate-Action-Version-2-May-2016.pdf.

bodies.[60] In its general recommendation No. 37, the Committee for the Elimination of Discrimination against Women offers clear guidance on measures needed to protect the rights of women migrants affected by climate change. A consistent approach to climate change-related human mobility in treaty-body review processes and communications on the Framework Convention could contribute to more effective monitoring of impacts, improved responses and further development of the relevant legal obligations of States.

60. At the national level, some States have put in place mechanisms to grant protection to people affected by environmentally induced disasters.[61] The Nansen Initiative identified more than 50 States that had used their discretion in migration matters and instruments provided for by their national legislation to admit persons affected by disasters.[62] Switzerland, for example, takes account of environmental and socioeconomic situations to extend protection to persons who would be endangered by a return to their country of origin;[63] and the Plurinational State of Bolivia, in its Law No. 370 of 2013, has explicitly referenced climate change migration and the need to protect those migrating in its national legislation. Ireland highlighted that its financial support for disaster risk reduction in climate vulnerable States as well as other forms of adaptation support to strengthen the resilience of poor and vulnerable households targeted the underlying causes of climate change-related movement.[64]

61. UNICEF emphasized its support for national child-focused climate change mitigation strategies, and national climate change and disaster risk reduction offices.[65] Several other inputs highlighted policies and actions related to climate change mitigation and adaptation, and disaster risk reduction. Cuba described its efforts at disaster risk reduction through planned relocation and ecosystem restoration.[66] While such efforts may not explicitly address human mobility, they can reduce the risk of displacement.

62. In several countries, migration has been promoted as a form of climate change adaption.[67] In Kenya, the National Climate Change Action Plan, for example, calls for research on migration as a potential coping mechanism for climate change. Countries of destination must also play a role. Reaching bilateral migration agreements with climate vulnerable countries can help facilitate safe, orderly and regular movement provided such agreements are non-discriminatory and comply with international human rights obligations. Italy, for example, has concluded several bilateral agreements that could potentially facilitate human mobility as a climate change adaptation strategy.[68] Similar agreements exist between a number of small island States in the Pacific and countries such as Australia, New Zealand and the United States of America.

63. The UNHCR Guidelines on Temporary Protection or Stay Arrangements[69] may apply in disaster and climate change contexts, and UNHCR offers general guidance to States on the use of humanitarian visas and temporary protection arrangements to protect those displaced across borders, including by climate change and disasters.[70] In support of

[60] See Center for International Environmental Law and Global Initiative for Economic, Social and Cultural Rights, "Synthesis Note on the Concluding Observations and Recommendations on Climate Change Adopted by UN Human Rights Treaty Bodies", available at http://www.ciel.org/wp-content/uploads/2018/01/HRTBs-synthesis-report.pdf.

[61] Input from the University of Bern and International-Lawyers.org.

[62] See Nansen Initiative, *Global Consultation Conference Report* (Geneva 2015), p. 16. Available at www.nanseninitiative.org/wp-content/uploads/2015/02/GLOBAL-CONSULTATION-REPORT.pdf.

[63] Switzerland input.

[64] Ireland input.

[65] UNICEF input.

[66] Cuba input; see also Christian Asse input, describing the importance of traditional knowledge, ecosystem restoration and preserving traditional livelihoods for effective climate action.

[67] Input from the University of Bern and International-Lawyers.org.

[68] Ibid.

[69] Available at www.refworld.org/docid/52fba2404.html.

[70] UNHCR input. See also UNHCR, "Legal considerations" (footnote 33 above).

the adoption of national and regional protection measures, UNHCR has compiled good practices from countries in Latin America that may apply in disaster contexts.[71]

64. IOM supports a human rights-based approach to human mobility in relation to climate change through its policy, research, training and operational activities. It has produced a number of tools related to human rights, climate change and migration, including the environmental migration portal which serves as a knowledge platform.[72] Those and other efforts raise awareness of the relationship between migration and climate change to inform policy choices.[73] IOM regional projects also offer direct support, for example, to improve the capacity of Pacific Island States to manage the impacts of climate change on migration[74] and to promote sustainable land management in migration-prone areas of West Africa through innovative financing mechanisms.[75]

65. OHCHR has compiled and regularly updates a list of promising practices related to migration in Global Migration Group's Principles and practical guidance on the human rights protection of migrants in vulnerable situations.[76] These include, for example, the work of the Food and Agriculture Organization of the United Nations to address the root causes of migration and build conflict-resilience by promoting recovery of local agricultural and food economies, including through climate change adaptation, which permits affected people to remain on their land when it is safe for them to do so.

V. Recommendations

66. **The research performed by OHCHR, summarized in the preceding analysis, provides a sound basis for a number of concrete recommendations.[77] Governments and other relevant stakeholders should:**

(a) **Take ambitious action to mitigate climate change in accordance with the Paris Agreement in order to prevent its impacts from worsening and reduce its role as a driver of human mobility;**

(b) **Ensure respect, fulfilment, promotion and protection of all human rights for persons crossing borders in the context of climate change;**

(c) **Promote and expand safe, regular, dignified and accessible pathways for human mobility that respect and protect the rights of persons affected by climate change, including through specific protection mechanisms;**

(d) **Refrain from returning migrants to territories affected by climate change that can no longer sustain them and steadfastly uphold the fundamental principle of non-refoulement and other international human rights law obligations, to provide protection for persons who are unable to return to their homes as a result of climate change;**

(e) **Affirm the relationship between climate change, human rights and human mobility, including through the recognition of climate change as a driver of human movement and a possible ground for admission in the global compacts;**

---

[71] See www.acnur.org/fileadmin/scripts/doc.php?file=fileadmin/Documentos/Proteccion/Buenas_Practicas/9234.

[72] See www.environmentalmigration.iom.int/.

[73] See www.environmentalmigration.iom.int/migration-environment-and-climate-change-evidence-policy-meclep.

[74] See www.environmentalmigration.iom.int/projects/enhancing-capacity-pacific-island-countries-manage-impacts-climate-change-migration-pccm.

[75] See www.environmentalmigration.iom.int/projects/west-africa-promoting-sustainable-land-management-migration-prone-areas-through-innovative.

[76] A/HRC/37/34/Add.1. See also www.ohchr.org/EN/Issues/Migration/Pages/VulnerableSituations.aspx.

[77] See also www.ohchr.org/EN/Issues/HRAndClimateChange/Pages/HRClimateChangeAndMigration.aspx.

(f) Address the impacts of climate change on the enjoyment of all human rights through effective, scaled-up adaptation measures that benefit the most vulnerable, facilitate safe and voluntary movement, and minimize forced movement, including through strengthened social protection systems;

(g) Mobilize all necessary means of implementation for effective climate change mitigation and adaptation measures to address human rights protection gaps for persons adversely affected by climate change;

(h) Facilitate the integration of climate change-related migrants in host communities, the regularization of their legal status and their access to labour markets;

(i) Ensure the meaningful, effective and informed participation of all persons, and especially women, in decision-making processes related to climate change and human mobility. For persons and communities displaced from their traditional livelihoods and territories due to climate change, empower them to make decisions about their futures and, to the greatest extent possible, ensure their continued access to traditional lands, resources and livelihoods;

(j) Adequately inform people about the existing and potential adverse effects of climate change to promote informed decision-making, support their right to plan and manage their own movement and facilitate their access to justice;

(k) Address data gaps through collection of disaggregated data related to the drivers of human movement; human rights impact assessments of climate change and climate actions; and community mobilization to measure the adverse effects of climate change and generate knowledge;

(l) Strengthen the role of regional bodies, conventions and economic communities in preventing, minimizing and addressing climate change-related human mobility. For example, in the absence of an international obligation to admit people affected by climate change, promote regional protection frameworks;

(m) Enhanced monitoring, review and technical support by human rights mechanisms on the issue of climate change-related cross-border movement, including by engaging the Human Rights Council, its special procedures mechanisms and the human rights treaty bodies;

(n) Commit to integrating human rights and human mobility, as well as climate change or the adverse effects of climate change, in relevant national reporting to the United Nations Framework Convention on Climate Change and to United Nations human rights mechanisms, in particular the universal periodic review; and ensure that the Task Force on Displacement of the Warsaw International Mechanism employs a rights-based approach to human mobility;

(o) Operationalize the Global Migration Group's Principles and practical guidance on the human rights protection of migrants in vulnerable situations.

United Nations A/HRC/38/22

General Assembly

Distr.: General
18 April 2018

Original: English

Human Rights Council
Thirty-eighth session
18 June–6 July 2018
Agenda items 2 and 3
Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Summary of the intersessional panel discussion on the role of local government in the promotion and protection of human rights

Report of the United Nations High Commissioner for Human Rights

Summary

The present report is submitted pursuant to Human Rights Council resolution 33/8. It provides a summary of the intersessional panel discussion on the role of local government in the promotion and protection of human rights, held on 4 September 2017.

GE.18-06181(E)

1806181

Please recycle

I. Introduction

1. The Human Rights Council, in its resolution 33/8, decided to convene between its thirty-fifth and thirty-sixth sessions a panel discussion on the role of local government in the promotion and protection of human rights, the objective of which was to identify ways in which local governments could promote, protect and fulfil human rights effectively, particularly in the context of implementing the 2030 Agenda for Sustainable Development, in close cooperation with national Governments. The Council requested the United Nations High Commissioner for Human Rights to liaise with States and all stakeholders, including relevant United Nations agencies, funds and programmes, the treaty bodies, the relevant special procedures of the Human Rights Council, national human rights institutions and civil society, with a view to ensuring their participation in the panel discussion.

2. In resolution 33/8, the Human Rights Council also requested the High Commissioner to prepare a report on the panel discussion in the form of a summary and to submit it to the Council at its thirty-eighth session. The present report was prepared pursuant to that request.

3. The Deputy High Commissioner opened the panel discussion, which was moderated by John Fisher, Director of the Human Rights Watch office in Geneva. The panellists were Katharina Pabel, member of the Human Rights Council Advisory Committee and Professor of Public Law at the University of Linz; An Hee-jung, Governor of South Chungcheong Province, Republic of Korea; Sara Sekkenes, adviser on conflict prevention and partnerships, Governance and Peacebuilding Group, United Nations Development Programme (UNDP); and Wanjiru Gikonyo, national coordinator and a founder of the Institute for Social Accountability.

II. Opening statement

4. In her opening statement, the Deputy High Commissioner said that the panel discussion was concerned with power, possibility, purpose and proximity in governance. It was a question of how the most local, proximate and immediate powers of government might humanize, rather than dehumanize, their inhabitants and their environment. It was a tale of this third, sometimes even fourth, tier of the government of a State, which was most directly accessible and thus potentially most accountable, to the people, and which had not yet been brought sufficiently to the centre stage of the human rights story.

5. The Deputy High Commissioner added that this concerned all individuals in their daily lives and the services, utilities, freedoms and spaces that were the tangible manifestations of human rights that had been set out in the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights. That affected how the State worked at the local level to ensure that schools, courts, hospitals, roads, police, community centres, garbage removal and water and sanitation systems were woven together to craft a habitat that enabled the population to go about their daily lives in dignity, hope and productive endeavour.

6. The Deputy High Commissioner stated that the right to contribute to governments at all levels was deeply embedded in the human rights storyline and manifestly essential to democracy at the local level. She stressed that civil society was not merely a partner for effective local administration; it operated so that people could come together to tackle shared problems, express common aspirations, pursue common interests and alert the authorities to issues ranging from new needs to long-standing problems. Civil society organizations were essential strategic and operational partners for local governments. They had a consultative role to assist in human rights planning and implementation. They also had a monitoring and assessment role concerning the way in which local governments were implementing human rights. They acted as capacity-builders that could help to strengthen the human rights expertise and awareness of local government officials and provided a regular, open channel of communication between local governments and inhabitants.

7. The Deputy High Commissioner noted that the role of local governments was strongly acknowledged in the 2030 Sustainable Development Agenda. Beyond the relevance of Sustainable Development Goal 11, which focused on making cities and human settlements inclusive, safe, resilient and sustainable, some other Goals were equally relevant. They included Goal 2 on ending hunger and achieving food security, Goal 3 on ensuring healthy lives, Goal 4 on inclusive and equitable quality education, Goal 6 on the availability and sustainable management of water and sanitation for all, Goal 8 on sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all, and Goal 16 on providing access to justice for all and building effective, accountable and inclusive institutions at all levels. The fulfilment of those responsibilities required an overriding focus on inclusion and on leaving no one behind. The Deputy High Commissioner noted that this overriding goal had also been highlighted in the report of the Human Rights Council Advisory Committee on the role of local government in the promotion and protection of human rights (A/HRC/30/49), in which it had indicated that local governance must focus on non-discrimination, gender sensitivity, representation of minorities and active inclusion of those who were otherwise marginalized.

8. The Deputy High Commissioner noted that today, more people lived in cities than in rural areas and that urbanization was expanding at an unprecedented rate. She observed that rapid urbanization had often led to greater disparities, deeper inequality and more discrimination. However, she added that it was not too late to turn the corner, to open up new spaces and establish new infrastructures to truly humanize the environment for all. She added that there was no village, city or slum without people and there were no people without human rights that must be protected, respected and upheld.

III. Statements by the panellists

9. The panel moderator, Mr. Fisher, observed that all levels of government had a responsibility for human rights and that local government as the level of government closest to the people could have a real and meaningful impact on people's lives each and every day, and indeed often the greatest impact. He noted that services relating to health, housing, and water and sanitation were examples of economic, social and cultural rights implemented by local government. He added that local government also implemented civil and political rights by providing access to justice, facilitating the organization of peaceful protests, promoting and enforcing non-discrimination policies and undertaking gender mainstreaming. He noted that there was a very human story associated with local government as people were, to a considerable degree, a product of the communities where they had grown up and which had shaped their perceptions.

10. Ms. Pabel noted that the report of the Human Rights Council Advisory Committee contained a number of useful elements. It included a definition of local government and its role in the promotion and protection of human rights and a legal analysis of the human rights obligations of the authorities at the local level. She observed that work at the local level was rarely perceived as the implementation of human rights, either by the local authorities or by the public. As a result, human rights remained distant in most policies and practices at the local level, whereas they did actually concern human rights in practice.

11. She noted that the report explained the concept of a "human rights city", a globally developed initiative aimed at localizing human rights. That concept was a promising approach to developing human rights governance in the local context, where local government, local parliaments, civil society, the private sector and other stakeholders cooperated to improve the quality of life for all people in a spirit of partnership based on human rights standards and norms.

12. Ms. Pabel recalled four recommendations contained in the report: (a) civil society should be actively involved in planning and implementation of human rights at the local level; (b) the relevant United Nations mechanisms should be encouraged to engage in a dialogue with local governments when monitoring domestic implementation of international human rights commitments and local authorities should be involved in the universal periodic review; (c) developments at the international level, such as new

recommendations, guidelines and best practices, should be brought to the local level; and (d) there was a need to develop guiding principles for local governments and human rights.

13. She further noted that local authorities were close to the everyday needs of individuals and took decisions, in particular relating to education, housing, health, the environment, water, and law and order, which were directly connected with the effective implementation of human rights. A clear link to the goals of the 2030 Agenda for Sustainable Development could be established. Decisions at the local level could enforce or weaken the possibility for individuals to enjoy their human rights and particular attention must be given to the promotion and protection of vulnerable and disadvantaged groups.

14. Ms. Pabel concluded by highlighting the importance of having a proper legal framework and adequate financial resources to ensure effective local governance and adequate implementation of human rights. Furthermore, strengthening democratic participation at the local level should go hand in hand with the promotion and protection of human rights.

15. Mr. An began his statement by observing that local governments were the frontline duty-bearers and agents of change in upholding human rights because local government was the closest and most accessible tier of public administration within the State. He noted that many human rights were embedded in the Sustainable Development Goals. He then shared his experiences as Governor of South Chungcheong Province. Progress had been made in implementing human rights in the province, an urban-rural region with a population of over 2.1 million people. The province had enacted its own human rights ordinance in 2012. That was followed by the establishment of a human rights commission in 2013, a human rights declaration in 2014, the creation of a human rights centre in 2016 and a "2030 vision for gender equality" in 2017. He noted that the human rights promotion team of the local authority dealt with a wide range of human rights issues and the human rights watch group of 150 members, nominated through a public application process, had actively engaged in workshops on human rights awareness, identified neglected areas of human rights and shared good practices in the province.

16. In terms of challenges, Mr. An said it was important to resolve disparities between urban areas and rural communities, particularly as rural communities had less good access than urban areas to the public services essential to their enjoyment of human rights, such as housing, education and culture. He added that rural communities and farmers faced many challenges. Since taking office, he had adopted the three agri-innovations initiative to assist farmers, rural villages and agriculture in local development, which shared many of the goals of the 2030 Agenda for Sustainable Development.

17. Mr. An said he had also tried to create an enabling environment for local human rights governance. He stressed that the solution to accomplishing this was building trust between local government and its citizens through their free and genuine participation. To that end, the province had sought to use various channels to better communicate and cooperate with its citizens and civil society. Furthermore, he said that multilevel governance strengthened through decentralization was critical for the localization of the Sustainable Development Goals, based on human rights and democracy, and added that the local self-governing system in the Republic of Korea could be improved to allow for more autonomy.

18. Mr. An argued that it was important for local governments to be connected with the United Nations human rights system. He said local governments had not been given adequate space to participate effectively in the universal periodic review and the work of the human rights treaty bodies. He added that the role of local governments seemed to have been significantly limited in the voluntary national reviews of the implementation of the Sustainable Development Goals. He expressed the hope that the relevant international standards would be further developed, so that they would be a useful instrument for local governments in devising concrete strategies for the promotion and protection of human rights.

19. Ms. Sekkenes stated that for human rights to be fulfilled and development to be successful and equitable, it must be locally owned. Localization meant that the design, implementation and monitoring of the Sustainable Development Goals reflected the priorities of the local people. She noted that the central message of the 2030 Agenda for

Sustainable Development was that development could only be sustainable if it included everyone and left no one behind. Success would depend, to a large extent, on local action, community participation and local leadership. Participation was very important and local government should engage with all stakeholders, including civil society, traditional leaders, religious organizations, academics, the private sector, human rights defenders and the local offices of national human rights institutions, where they existed. Efforts should be made to reach women and youth as well as the poorest and most marginalized groups.

20. Ms. Sekkenes explained that there should be interaction and exchange of knowledge between local authorities, as well as with partners at the local level and at different levels of government. She advocated for a model of decentralized cooperation that would build on the mutual exchange of expertise between local authorities and local development actors. Local governments had a role to play in harmonizing local interests and creating a common development perspective, with a view to prioritizing expenditure at the local level. Human rights, such as access to information and the right to be heard, and rule of law principles, such as legality and accountability, needed to be integral in the delivery of public services.

21. Ms. Sekkenes said that UNDP was collaborating with the Global Taskforce of Local and Regional Governments and the United Nations Human Settlements Programme (UN-Habitat) on an online repository of tools and guidance for cross-learning between local and regional governments (localizingthesdgs.org). UNDP was providing support to over 35 countries in that context. Stressing that there was no one-size-fits-all approach, she mentioned several examples of cooperation. In Ecuador, UNDP was working with national and subnational governments and with the Association of Ecuadorian Municipalities to integrate the Sustainable Development Goals into national and subnational plans and ensure the monitoring and review of their implementation. In Brazil, UNDP had partnered with the National Confederation of Municipalities to strengthen the role of local governments in the localization of the Sustainable Development Goals. The joint initiative sought to raise awareness, integrate the Sustainable Development Goals into local plans and build up monitoring and accountability systems. In Morocco, UNDP had worked with local governments to establish *maisons de développement*, which focused on promoting exchanges and developing partnerships between all development actors, and providing them with a physical space to coordinate and harmonize development efforts. In fragile contexts such as the Syrian Arab Republic and Yemen, UNDP supported cooperation with others to strengthen service capacity at the local level to maintain access to public goods and services.

22. Ms. Gikonyo stated that the African Charter for Popular Participation in Development and Transformation (1990) was the first concerted commitment by African States to promote public participation. The Charter affirmed that nations could not be built without the popular and full participation of the people and that participation empowered people to involve themselves effectively in governance. Obstacles to effective public participation included a lack of political will due to non-democratic systems and, in some cases, in incipient democracies, a lack of institutional capacity, of effective cooperation between national and subnational levels of government, and of information about human rights obligations; a failure to recognize the role of civil society organizations; and the absence of explicit human rights obligations in national governance frameworks. She indicated that Kenya had adopted a progressive constitution in 2010, which contained an extensive bill of rights. Devolution was embedded in the Constitution and public participation was enshrined as a national value and constitutionally required in policy development. The Constitution entrenched gender equality, economic inclusivity and equity. The National Gender and Equality Commission, the Kenya Human Rights Commission and the Office of the Ombudsman were also constitutionally protected. She added that Kenya had mainstreamed the 2030 Sustainable Development Agenda in its national planning framework.

23. Ms. Gikonyo noted that local governments offered the opportunity for bottom-up transformation, although acknowledging that central Governments could be intransigent at times. She stressed that national politics still played into local government action through national policy decisions. Nevertheless, the hegemony of national political parties was checked by the creation of local government centres of power.

24. Ms. Gikonyo identified several lessons with respect to public participation and human rights. Democratization of institutions was one of the strongest indicators of political will, as well as separation of powers, horizontal accountability and protection of public servants from executive interference in administrative processes. Democratization of information was also key because access to information was an enabling right for public participation. The conceptualization of public participation into minimalist administrative requirements, as opposed to dynamic participatory processes in local governance, was one of the biggest challenges. She said that there was a need for models of service delivery rooted in partnerships with local communities and supported by principles of transparency, oversight by the public and revenue-sharing with local communities. She added that the community-centred service delivery model challenged the private sector model that many Governments used.

25. With respect to Sustainable Development Goal 6 on ensuring the availability and sustainable management of water and sanitation for all, Ms. Gikonyo said that this was a problem in Kenya, many residents were not connected to a waste management system and that more public participation was needed. Concerning Goal 8 on promoting sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all, she noted that the informal sector represented 82.7 per cent of employment in Kenya. She also noted that although public policy broadly reflected that reality, efforts to promote integration into the formal economy and support the sector had largely not succeeded. Even though the informal sector continued to grow, it had not received the support that it needed. City planning processes had marginalized informal trade and informal traders continued to be harassed. She added that redistributive policies were tokenistic. State capture and the resultant corruption remained the biggest barriers to the implementation of the progressive laws that had been adopted.

26. Concerning civil society, Ms. Gikonyo said that in Africa, it had been called upon to play a dual role of fostering transition politics while helping to consolidate democratic gains. However, the space for civil society to act in had been shrinking around the world, including in Africa and in Kenya in particular. She said that there was a need to increase support for civil society so that it could engage on issues of local governance and advocate against the capture of local institutions and the resultant manifestations.

IV. Summary of the discussion

27. During the discussion, contributions were made by representatives of Brazil, Chile, Egypt, Georgia, Indonesia, Iraq, Israel, Madagascar, the Republic of Korea (on behalf of four member States) and Romania. The following non-governmental organizations (NGOs) also made contributions: United Cities and Local Governments and the International NGO Forum on Indonesian Development.

A. General observations

28. Many speakers noted that local government was the level of government closest to the people, the most visible and most accessible. It was further noted that this proximity of local government was not only physical but also ethnic and cultural in some cases. A number of speakers remarked that because local government was most frequently responsible for a range of basic and essential services for communities, such as education, health care, housing, water and sanitation, they were inextricably involved in the fulfilment of people's human rights. It was pointed out that the role of local government was not limited to economic, social and cultural rights, but also included civil and political rights. An example given was the obligation to facilitate the right to peaceful assembly. It was noted that local government has an obligation to secure equality and justice for everyone at the local level and in particular to protect the human rights of women and specific groups, such as children, minorities, persons with disabilities, migrants, refugees and the poor and marginalized.

29. It was stressed that the proximity of local government to the people was an asset. It could be used to facilitate a continuous dialogue with individuals and groups concerning the protection and promotion of their human rights. One speaker said that local government

should support the involvement of citizens in decision-making and the management of political and financial affairs, and should try to identify people's needs.

30. One speaker observed that the extent of powers entrusted to local governments differed from one State to another. Another speaker noted that central Government provided resources to local governments to implement decisions adopted at the national level in areas such as health, education and security. Some speakers expressed the view that a measure of autonomy was important for local governments to implement human rights effectively. One speaker emphasized that it was important to have a legal framework that set out the role, responsibilities and prerogatives of local governments and the nature of their relations with the central Government.

B. Integrating human rights into local government

31. A number of speakers indicated that for local governments to be effective in promoting, protecting and fulfilling human rights, they needed to be democratic, transparent, accountable and have a high degree of integrity. According to one speaker, effectiveness depended on recognizing that citizens were the most important asset of a local government and that they were the most honest and trustworthy allies of local government institutions because of their interest in the well-being of the community. A number of speakers stressed that local governments needed to build partnerships with a wide range of civil society actors in order to integrate human rights effectively into their public services, and for the delivery of public services to be monitored and assessed. One speaker indicated that strong leadership and commitment at the central and subnational levels was required to make human rights more specific and practicable for local needs.

32. A number of speakers emphasized the importance of capacity-building and the training of public servants in local government on both national human rights law and international human rights instruments. Several speakers indicated that they had already implemented human rights training of public servants at the local level and one speaker noted that the State had a programme of technical cooperation with the Office of the United Nations High Commissioner for Human Rights to provide such training.

33. Another speaker remarked that government efforts to integrate human rights into implementation efforts was facilitated by the establishment of a national human rights institution and that efforts to democratize human rights at the local level had been concentrated on awareness-raising and training, in cooperation with civil society. In addition to measures aimed at raising awareness of human rights and providing training for local government officials, the speaker referred to specific measures that had been taken with respect to various stakeholders, including human rights education efforts directed at traditional leaders, religious leaders and teachers, with a view to ending harmful practices incompatible with human rights and positive measures that would promote the protection of human rights. As the representative of a developing country, the speaker noted that there were a number of challenges facing local governments in promoting and protecting human rights, including a lack of infrastructure throughout the territory of the State, a lack of material and financial resources, and the need for capacity-building for local government officials, in particular law enforcement officials, magistrates and social workers, and for those working for civil society organizations.

34. One speaker underlined the importance of adopting administrative measures to translate issues of human rights protection into concrete measures to be taken, or standards to be obeyed, as guidance to local governments, and added that sharing of best practices by different local governments was an essential measure to promote and protect human rights.

35. A number of speakers indicated that their States had already integrated human rights issues into the national plans of action on human rights. One speaker noted that the State action plan envisaged cooperation with local governments to increase access to minorities, provide information to minorities in their native languages, provide better educational opportunities for minorities and promote cultural diversity.

36. One speaker noted that a federation of local authorities served as an effective link between local governments and various ministries of the central Government and that the

federation provided advice to the central government ministries on a range of issues, such as housing, water, education, safety (including from natural disasters) and various types of planning.

37. One representative of an NGO referred to several cities and districts that had already adopted local regulations on "human rights cities" and others that were in the process of adopting such a framework. In that context, the speaker stressed the importance of full cooperation between NGOs, local government, the national human rights institution and the central Government, including the competent ministries.

C. Role of local governments in implementing the 2030 Sustainable Development Agenda and the New Urban Agenda

38. A number of speakers noted the role that local governments had in implementing the Sustainable Development Goals and their link to human rights. One remarked that the 2030 Sustainable Development Agenda was people-centred and human rights-based and added that implementation of human rights by local governments had to be based on a strong awareness of the needs of rights holders. One State representative said that the State in question had endorsed the 2030 Sustainable Development Agenda, that there should be an equitable sharing of resources among all of its citizens and that a balance should be sought that would benefit all individuals and groups. Another speaker stated that local governments had a particularly important role to play in implementing the pledge in the 2020 Sustainable Development Agenda of leaving no one behind. It was notable that the Sustainable Development Goals provided commitments to the needs of the most vulnerable. The speaker added that local governments had an important role in trying to facilitate the integration of refugees into their new community and that it would be useful to learn about best practices from other States concerning the implementation of human rights at the local level.

39. One speaker noted that the participation of subnational and local governments was important to the United Nations Conference on Housing and Sustainable Urban Development (Habitat III) and its preparatory process. The speaker noted that local governments had been given a role in the implementation of the New Urban Agenda (A/CONF.226/4, annex), which had been adopted at Habitat III. The speaker indicated that Human Rights Council resolution 35/24, entitled "Human rights in cities and other settlements", had been inspired by the New Urban Agenda and its vision of cities for all. In that resolution, the Council had also noted the efforts of some national and local governments to enshrine this vision, referred to as "right to the city", in their legislation, political declarations and charters. The speaker indicated that the urban development policy of the State in question was carried out by municipalities and was designed to ensure comprehensive social functions for the city and the well-being of its inhabitants.

V. Conclusions

40. **In their concluding remarks, the panellists stated that it was important for local governments to have a better understanding of human rights so that they could be better integrated into the delivery of public services. That could be done by providing local officials with human rights training and education. Sharing best practices among local governments, both nationally and internationally, would be useful. Another possible approach was to use the human rights cities model, which included a range of desired human rights outcomes.**

41. **The panellists stressed that in order to ensure effective local governance and effective implementation of human rights, it was important for local governments to have a proper legal framework and adequate financial resources. They stressed that local governments needed to provide public services at an adequate level to the population on a non-discriminatory basis, based on the human rights obligations of the State. Local governments should ensure in particular that public services were provided to the most marginalized and that the goal of leaving no one behind was achieved.**

42. **The panellists emphasized that the protection and fulfilment of human rights required cooperation with NGOs and other stakeholders on an inclusive basis. NGOs and other stakeholders should be consulted on the planning and implementation of human rights at the local level and on the monitoring and assessment of the effectiveness of local government programmes. That could possibly include the development of indicators to measure the degree of implementation of specific human rights.**

43. **To encourage local ownership, it was important to have democratic institutions and decision-making at the level of local government. Transparency and accountability for decisions taken by local governments were highlighted. One of the panellists mentioned that in his region, information on all public expenditures was publicly available, as was the nature of the expenditures, which were made available to the public in detail and posted on the Internet. That was important for maintaining trust with the population. It was emphasized that efforts should be made to prevent corruption and mechanisms should be in place to deal with it when it occurred.**

44. **The panellists also stressed the need for coherence and cooperation between local government, the central Government and other levels of government. Government departments had a tendency to work in silos and it was important to have an integrated approach so that human rights could be mainstreamed across departments at the local level, as well as at other levels of government. It was important to have a continuous and free flow of information about human rights and new human rights developments between the central Government and local governments, particularly as that information was often concentrated at the level of the central Government. The panellists added that there also needed to be more coherence and coordination at the international level, including between United Nations departments, offices and programmes, in their approach to assisting local governments to implement human rights and the 2030 Sustainable Development Agenda.**

45. **The panellists noted that there remained a number of challenges to the promotion and protection of human rights in some States. For example, restrictions on the activities of NGOs in some States had created serious obstacles to their ability to be heard on policy development and decision-making at the local level. Those undue restrictions had included prohibiting registration, forbidding foreign funding or denying permits for particular activities for NGOs. More generally, restrictions on the right to freedom of expression, freedom of peaceful assembly and freedom of association had seriously limited the participatory rights of NGOs and other stakeholders, and denied local government important sources of information concerning ineffective or discriminatory delivery of public services, corruption and other human rights violations. In fragile States marked by violence and degraded institutions, local governments faced serious obstacles to delivering basic public services.**

46. **In terms of how the Human Rights Council could stay engaged with local governments, the panellists said that the development of guiding principles on local government and human rights could be a potentially useful tool. It was suggested that local governments should have a more specific role in the universal periodic review process. It was also noted that a number of the special procedures mandate holders of the Human Rights Council had addressed human rights that were implemented by local governments and that there should be more engagement between the relevant mandate holders and local governments. The Human Rights Council Advisory Committee could also assist in following up on the recommendations set out in its report on the role of local government in the promotion and protection of human rights (A/HRC/30/49).**

United Nations A/HRC/38/23

General Assembly

Distr.: General
23 April 2018

Original: English

Human Rights Council
Thirty-eighth session
18 June–6 July 2018
Agenda items 2 and 3
Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Summary report on the annual half-day panel discussion on the rights of indigenous peoples

Report of the Office of the United Nations High Commissioner for Human Rights

GE.18-06411(E)
1806411

Please recycle

I. Introduction

1. As mandated by the Human Rights Council in its resolution 18/8, the Council held its annual half-day panel discussion on the rights of indigenous peoples on 20 September 2017. The theme of the discussion, pursuant to Council resolution 33/13, was the commemoration of the tenth anniversary of the adoption of the United Nations Declaration on the Rights of Indigenous Peoples, with a special focus on challenges and good practices in achieving the ends of the Declaration. The present report is submitted pursuant to resolution 33/13.

2. The panel discussion was aimed at: identifying good practices and challenges in achieving the ends of the Declaration on the Rights of Indigenous Peoples; examining the role of indigenous youth in the promotion and protection of the rights of indigenous peoples; and considering the way forward in implementing the Declaration including through collaboration between relevant human rights mechanisms.

3. The panel was chaired by the President of the Human Rights Council, and moderated by Albert K. Barume, Chair-Rapporteur of the Expert Mechanism on the Rights of Indigenous Peoples. The panellists were Dalí Ángel, coordinator of the Red de Jóvenes Indígenas de América Latina (Indigenous Youth Network of Latin America), and Karla General, an attorney at the Indian Law Resource Centre. The third panellist, Christine Kandie, a programme officer at the Endorois Welfare Council, was unable to participate due to travel delays. The original moderator for the panel, Grand Chief Wilton Littlechild of the Confederacy of Treaty Six First Nations, also faced travel delays but was able to provide concluding remarks.

4. The panel was accessible for persons with disabilities and was webcast and recorded.[1]

II. Opening of the panel discussion

5. The President of the Human Rights Council opened the panel discussion.

6. The Deputy High Commissioner said that Cayuga Chief Deskaheh of the Iroquois Nation had come to Geneva in 1923 seeking to address the League of Nations and that his great granddaughter, Karla General, was among the panellists currently present. The United Nations Declaration on the Rights of Indigenous Peoples was recognized as a global standard: however, many challenges remained in its implementation. It was important to focus on future generations. International human rights mechanisms could play a significant role in that regard: for example, the Convention on the Rights of the Child had been the first of the core international human rights treaties to include specific references to indigenous peoples.

7. There were links between the trauma of forced assimilation and many of the challenges that indigenous youth currently faced, such as infant and maternal mortality, alcohol and substance abuse, and persistently low access to education, employment and health care. In order to address that situation, indigenous children and youth must be engaged, empowered and enabled. They must become partners of equal dignity when it came to implementing their rights under the Declaration. It was important to collect and analyse appropriate data in order to ensure that policies affecting indigenous peoples' lives were based on sound evidence. The data gap must not remain a stumbling block for the achievement of the Sustainable Development Goals.

8. Decisive rights-based action was needed, recommendations had been issued and indigenous voices heard, and the path that must be followed was that of implementation for and with indigenous peoples, including indigenous children and youth.

[1] See http://webtv.un.org/search/panel-discussion-on-rights-of-indigenous-peoples-19th-meeting-36th-regular-session-human-rights-council-/5581732710001/?term=&lan=english&cat=Human%20Rights%20Council&sort=date&page=36.

9. Mr. Barume said that the Deputy High Commissioner had demonstrated the commitment of the Office of the United Nations High Commissioner for Human Rights to the rights of indigenous peoples. He welcomed all participants, particularly indigenous youth representatives, and recalled that it was the Human Rights Council that had first adopted the Declaration in 2006. He recalled the objectives of the panel discussion and underlined that, although the tenth anniversary of the Declaration should be a celebration, it also represented an opportunity to take stock of progress and challenges over the past 10 years.

III. Summary of the proceedings

A. Contributions of the panellists

10. Ms. Ángel focused on the work of the Indigenous Youth Network of Latin America, which comprised several indigenous youth organizations from the region. The Network had prepared a report on indigenous youth perspectives 10 years on from the adoption of the United Nations Declaration on the Rights of Indigenous Peoples. The report contained analysis of how indigenous youth in the region had used the Declaration to claim their rights, but also shed light on achievements in and challenges for its implementation.

11. In the report, the Network highlighted that there were different definitions and conceptions of youth within indigenous world views, going beyond the usual biological and age-range criteria. Indigenous peoples had traditionally assigned different roles, responsibilities, rights and obligations to their children and youth. The significance of identifying as indigenous youth therefore resided in assuming certain responsibilities within the community, in line with traditions and identities.

12. It was difficult to quantify the number of indigenous youth in the region, as there was a diverse range of conceptions of indigenous youth, influenced by cultural contexts. Some persons might not identify as indigenous in surveys and other data-collection tools, in order to avoid discrimination. Awareness-raising was essential in overcoming discrimination. Reliable social and demographic data were crucial to understanding the situation of indigenous peoples and to developing effective policies to overcome the poverty and marginalization that they often faced.

13. The report also addressed the issue of migration of indigenous youth from their communities to urban areas, mainly in search of better job opportunities. With regard to the tension between migration to urban areas and the tenure of indigenous peoples over their rural territories, youth migration could potentially gradually erode communities' individual and collective ownership of their lands. In order to address that challenge, better education, health and employment and livelihood opportunities must be created in rural areas.

14. Intercultural bilingual education was an issue of great importance for indigenous youth. Education must truly be based on indigenous culture, rather than simply translating Western educational models into indigenous languages. Indigenous youth could play a key role in developing curricula and content for genuine intercultural education. The lack of an intercultural perspective regarding sexual and reproductive rights was another issue of great concern for indigenous youth, who had identified traditional practices that imperilled the emotional and physical health of girls and young women, such as child marriage.

15. The empowerment of indigenous youth through the intergenerational transmission of traditional knowledge was vital, particularly given the constant tension between the state of belonging to an indigenous people and the fact of living in an interconnected world. Indigenous culture was not static, but rather constantly changing and recreating itself. The effects of colonization, history and discrimination placed indigenous youth in a difficult position, but they were addressing the challenge of creating their own cultural space, bringing together both their indigenous and global worlds.

16. Ms. General, acknowledging the work of her great grandfather, said that Cayuga Chief Deskaheh had asked the Members of the League of Nations whether they really believed that all peoples were entitled to equal protection under international law. That

question remained highly relevant at the current time. Indigenous peoples around the world deserved both an affirmative answer and action in that regard. The Declaration was a historic achievement and the most significant development in international human rights law in decades. However, representative indigenous voices were still denied access to the United Nations. The outcome document of the 2014 World Conference on Indigenous Peoples, General Assembly resolution 69/2 (2014), contained both a reaffirmation by Member States of their commitment to indigenous peoples and new commitments. Although States had committed to considering ways to enable the participation of indigenous peoples' representative institutions at the United Nations, little progress had been made in that regard due to the failure of the Member States to reach a consensus.

17. Participation was the most pressing issue for indigenous peoples: without authentic indigenous voices, decisions made in international forums would not be responsive to their realities, including violence against human rights activists, land grabs linked to extractive industries and the continued destruction of traditional ways of living. If indigenous peoples had a voice at the United Nations, they could tell the States Members that their situation had improved very little since the adoption of the Declaration, because decisions continued to be made without the benefit of their views and experience. When indigenous voices were heard, solutions were more responsive and effective.

18. Indigenous youth had a significant role to play in that work, as they were both citizens of the world and of their tribal nations and, as such, had much to contribute. Indigenous youth in North America faced a number of challenges, including negative health and education outcomes and economic disparities. Those disparities were linked to historical trauma, chronically underfunded programmes and ineffective policies. The Declaration provided a tool to change those situations. Indigenous youth were increasingly stepping forward to better understand international frameworks, in order to strengthen their advocacy efforts.

19. The mandate of the Expert Mechanism on the Rights of Indigenous Peoples had been amended and it had a role to play in: engaging with local actors to ensure that the recommendations of international bodies and mechanisms were respected and fulfilled; reporting to the Council on good practices in the achievement of the goals of the Declaration; and providing advice to Member States and indigenous peoples.

20. The implementation of the Declaration was an ongoing challenge that would take time. It was essential that the information and tools required to continue that task be passed on to indigenous youth, who must be aware of their rights, educated about the international human rights system and trained to utilize opportunities provided at the international level to implement their rights. The Declaration had empowered indigenous peoples, and they must work together with States to ensure that the principles and purposes of the Declaration and the Charter of the United Nations were respected, and that all peoples were entitled to equal protection under international law.

B. Interactive discussion

21. Mr. Barume said that there had been a slight trend towards change over the past 10 years, but mainly in terms of standard-setting and the development of institutions. Those new standards and institutions need to be operationalized and turned into reality in order to make a difference to individuals' lives.

22. Representatives of several Member States, national human rights institutions and non-governmental organizations took the floor to make comments or ask questions. While there was general agreement on the importance of the Declaration, support for the rights enshrined in it, and an acknowledgement of progress made to date several delegations also highlighted challenges with respect to the implementation of those rights. Some of the challenges raised included: the need to ensure indigenous peoples' participation in decision-making; the need for greater political will to ensure the fulfilment of the rights of indigenous peoples; concerns regarding rights to land, territories and resources; systemic discrimination; harassment of indigenous human rights defenders; gaps pertaining to the

right to health and the right to education; deficiencies in the collection of data regarding indigenous peoples; and lack of access to culturally sensitive sexual and reproductive health.

23. Some delegations emphasized that, while developments at the international level were important, dialogue and action at the domestic level should also be prioritized, including the use of the Declaration by national courts. The delegations also pointed to the links and interplay between the Declaration and other human rights instruments and mechanisms.

24. Several delegations and other stakeholders highlighted ongoing initiatives to address the situation of indigenous peoples' human rights in their respective countries. Those initiatives included: the development of national action plans for indigenous peoples, or their inclusion in broader national development strategies in the context of the Sustainable Development Goals; the establishment of mechanisms to involve indigenous peoples in decision-making; improvements to data collection; the inclusion of indigenous peoples' rights in sectoral public policies; measures to improve indigenous peoples' political representation; the creation of specific institutions to address their situation and concerns; land demarcation and titling programmes; the promotion of income-generating activities, such as community-based ecotourism; training for civil servants and other stakeholders; and targeted training for indigenous bilingual teachers.

IV. Concluding comments from the panellists and moderator

25. Ms. Ángel said that it was very important for indigenous youth to be able to organize themselves at the national and international levels, in order to bolster their participation in decision-making and in the design of programmes that might affect them. That approach implied not only setting aside places for young people but also providing, as a matter of priority, funding to facilitate their participation. The Sustainable Development Goals constituted a key channel for the involvement of indigenous youth, who must participate in national and international-level consultations. In addition to work at the international level, indigenous youth had a key role to play in implementing the Declaration at the national and local levels.

26. With regard to the way in which indigenous youth reacted when faced with climate change and disasters, in Oaxaca, Mexico, young persons contributed actively as members of humanitarian brigades. Indigenous peoples' ways of organizing themselves had also been fundamental in responding to disasters, as had the transfer of ancestral knowledge, which also played a key role in disaster prevention. There was a need to invest in the young generation. Such support for youth was a crucial way of supporting indigenous persons of all ages.

27. Ms. General said that it was vital to ensure collaboration across the United Nations system, and to learn about the realities of indigenous peoples on the ground and why those realities had not advanced far enough in the past 10 years. The expertise that existed within the United Nations system should be used to provide recommendations. The inclusion of the empowerment of indigenous women as one of the focus areas at the March 2017 session of the Commission on the Status of Women served as an example in that regard. The new technical assistance functions of the Expert Mechanism on the Rights of Indigenous Peoples had great potential. The treaty bodies and the universal periodic review had a significant role to play regarding indigenous peoples. The adoption of the American Declaration on the Rights of Indigenous Peoples was a welcome development, providing a strong and useful tool for the protection of the rights of indigenous peoples in the Americas.

28. It was disheartening and frustrating to see that the past 10 years had brought very little in the way of tangible, quantifiable improvements to the lives of indigenous peoples. However, much good work was being carried out at the community and international levels, and indigenous youth faced the challenge of bringing all that work together, in order to make the rights enshrined in the Declaration a reality in the daily lives of indigenous peoples. She invited States to continue consulting and collaborating with indigenous peoples to develop national plans of action to remedy existing shortcomings in laws, policies and practices, and highlighted the important role that national human rights

institutions could play. She also encouraged indigenous nations and communities to give young persons space to participate in their governance structures.

29. Grand Chief Wilton Littlechild said that, 40 years previously, when indigenous representatives, including him, had come to Geneva for the first time, they had not been allowed to take the floor at United Nations meetings. The current challenges regarding the participation of indigenous peoples at the United Nations were regrettable. It was important to acknowledge the contributions of indigenous peoples to the human family, including through the recognition of spiritual rights and indigenous peoples' role as stewards of the environment. He welcomed the fact that the Council had focused on youth through the panel, and called on States, indigenous peoples, civil society and the United Nations to work together to advance the rights of indigenous peoples. He appreciated the ongoing support of all States, indigenous peoples, civil society and the United Nations over the past 40 years, and urged those States that had not found a way to recognize indigenous peoples or support the Declaration to join in the movement towards not only the implementation of the Declaration but also peace and reconciliation.

30. Mr. Barume said that there was a need to raise awareness and build capacity around the Declaration, particularly among civil servants. The principle of free, prior and informed consent was one of the Declaration's most important contributions to international law, encapsulating, as it did, the basic principle of inclusive governance of society, under which all voices were heard.

United Nations A/HRC/38/24

General Assembly

Distr.: General
19 April 2018

Original: English

Human Rights Council
Thirty-eighth session
18 June–6 July 2018
Agenda items 2 and 3
Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Review of promising practices and lessons learned, existing strategies and United Nations and other initiatives to engage men and boys in promoting and achieving gender equality, in the context of eliminating violence against women

Note by the Secretariat

Summary

The present report is submitted pursuant to Human Rights Council resolution 35/10. It highlights key lessons learned and promising practices on engaging men and boys to promote and achieve gender equality.

GE.18-06267(E)

1806267

Please recycle

Contents

		Page
I.	Introduction	3
II.	Opportunities and risks of engaging men and boys	3
III.	Ongoing efforts and challenges faced	6
	A. Combating harmful practices	6
	B. Education and awareness-raising	7
	C. Fostering an equal share of responsibility in domestic life	8
	D. Promoting gender equality in health	9
	E. Breaking the cycle of violence	10
	F. Establishing a legal and policy framework	11
	G. Building institutional capacity	12
	H. Social and community mobilization	12
	I. Methodologies for a gender-transformative approach	13
IV.	Conclusions and recommendations	15

I. Introduction

1. In its resolution 35/10, the Human Rights Council provided detailed recommendations on the prevention of and the response to violence against women and girls,[1] and requested the Office of the United Nations High Commissioner for Human Rights (OHCHR) to review promising practices and lessons learned, existing strategies and United Nations and other initiatives to engage men and boys in promoting and achieving gender equality, in particular efforts to challenge gender stereotypes and the negative social norms, attitudes and behaviours that underlined and perpetuated violence against women and girls, and to make recommendations for further action by States and the international community in that regard. The present report is prepared in response to that request.

2. In preparation for this report, OHCHR called for submissions and received contributions from 19 member States, 10 national human rights institutions, 3 United Nations entities, 1 public-private partnership and 21 civil society organizations and other stakeholders.[2] OHCHR also conducted research on the relevant jurisprudence of the United Nations human rights mechanisms and the relevant strategies and initiatives of the Organization and other entities.

II. Opportunities and risks of engaging men and boys

3. Over the past decade, there has been increasing emphasis on engagement with men and boys[3] in gender equality efforts, including interventions to eliminate all forms of violence against women and girls.[4] In response, in June 2017, at its thirty-fifth session, the Human Rights Council held a panel discussion entitled "Accelerating efforts to eliminate violence against women: engaging men and boys in preventing and responding to violence against women and girls". The panel emphasized the strong impact of harmful gender stereotypes on persistent gender-based violence against women and the importance of equal gender relations between men and women in eliminating gender-based violence against women.[5] Further, in September 2017, in its resolution 35/10, the Council called upon States to take action to prevent violence against women and girls by, among other means, fully engaging men and boys, alongside women and girls, and addressing the root causes of gender inequality, including gender stereotypes and negative social norms and unequal and patriarchal power relations.[6]

4. Experience has demonstrated that, although engagement with men and boys in achieving gender equality presents significant opportunities, it can also carry certain risks. In order to maximize the impact of engaging men and boys in achieving gender equality, the nature and context of such engagement must be analysed and understood.

5. The ultimate aim of efforts to engage men and boys is to rectify discriminatory power relations based on the subordination of women and harmful gender stereotypes,

---

[1] See paras. 9–10.

[2] Submissions are available at www.ohchr.org/EN/Issues/Women/WRGS/Pages/EngagingMenBoysPromotingAchievingGenderEquality.aspx.

[3] In the present report, "boys" mean those who are under 18 years of age, in accordance with the Convention on the Rights of the Child.

[4] E.g. Human Rights Council resolution 32/19 and the HeForShe campaign (www.heforshe.org) of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women). In submissions by Norway and Argentina, it was also reported that regional conferences on engaging men and boys in gender justice and violence prevention were convened in 2017 among Nordic, and Latin American and Caribbean countries, respectively.

[5] A/HRC/37/36.

[6] See para. 9 (a) and (b).

which lie at the heart of gender-based discrimination and violence against women — a gender-transformative approach. Inequalities between women and men have persisted throughout history and in all regions of the world.[7] Gender-based violence against women is one of the most significant manifestations of discrimination against women,[8] as it is one of the fundamental social, political and economic means by which the subordinate position of women with respect to men and their stereotyped roles are perpetuated.[9] Changing these dynamics requires recognition that men and boys play a role not only in perpetrating such violence but also as community members who need to support more equal power relations.

6. It is acknowledged in the preamble (para. 14) to the Convention on the Elimination of Discrimination against Women that a change in the traditional role of men as well as the role of women in society and in the family is needed to achieve full equality between men and women. Article 5 (a) of the Convention places a legal obligation on States parties to modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices that are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women as one of the means to eliminate discrimination against women. The Committee on the Elimination of All Forms of Discrimination against Women also observed that the root causes of gender-based violence against women included the ideology of men's entitlement and privilege over women, social norms regarding masculinity, the need to assert male control or power, enforce gender roles, or prevent, discourage or punish what was considered to be unacceptable female behaviour[10] and the need to transform them.

7. Engaging men and boys as partners in the effort to bring about gender equality holds the potential to engage them in resisting and rejecting harmful masculinity, misogyny and discriminatory gender roles, which is key for the achievement of gender equality and the elimination of gender-based violence.[11] Such engagement should recognize that men and boys interface with the implications of gender inequality from different positions. They can be perpetrators of discrimination against women and gender-based violence, agents for change, or victims/witnesses of violence — including violence against children. Men and boys can also be victims of gender-based violence, including sexual violence, in various contexts. Perpetration of such violence is deeply intertwined with the same discriminatory gender norms that cause gender-based violence against women and girls. Likewise, men

[7] The World Economic Forum (*The Global Gender Gap Report 2017* (Geneva, 2017), pp. v–viii) indicates that the global gender gap of an average 32 per cent remains to be closed across the four dimensions of the Index (education, health, economic participation and political empowerment) in order to achieve universal gender parity. In 2017, the global gender gap saw the first reverse trend since 2006, indicating that the overall global gender gap would take 100 years to close, compared with 83 years in 2016.

[8] Committee on the Elimination of Discrimination against Women, general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, para. 1.

[9] Ibid., para. 10. See also the eleventh preambular paragraph of Human Rights Council resolution 35/10.

[10] Committee on the Elimination of Discrimination against Women, general recommendation No. 35, para. 19.

[11] The Committee on the Rights of the Child was a pioneer in recognizing that men and boys must be actively encouraged as strategic partners and allies, and along with women and girls, must be provided with opportunities to increase their respect for one another and their understanding of how to stop gender discrimination and its violent manifestations (see its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence, para. 72 (b)). In the context of harmful practices, both the Committee on the Rights of the Child and the Committee on the Elimination of Discrimination against Women stressed the need to empower girls and women and boys and men to contribute to the transformation of traditional cultural attitudes that condone harmful practices, act as agents of such change and strengthen the capacity of communities to support such processes (see joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2014) on harmful practices, para. 17).

and boys can be engaged as members of a community or society to join efforts to mobilize demand for gender equality and women's rights or as political, traditional, community, religious or youth leaders to advocate for gender equality and denounce discriminatory social norms, such as harmful practices,[12] and misogynist hate crimes and hate speeches. Men can be engaged: as teachers to provide gender-transformative and human rights-sensitive education; as health professionals and social workers to deliver public service without discrimination or discriminatory stereotypes; as journalists and media workers to transform negative gender stereotypes in the media; and as workers and business managers to eliminate gender inequality and discrimination against women at work. Men who are in positions of authority, such as members of parliaments, the judiciary, law enforcement and Governments, also play a pivotal role in discharging a State's legal responsibility towards gender equality and the prohibition of discrimination against women.

8. Importantly, for efforts to engage men and boys to successfully contribute towards a transformative gender-equality agenda, they must be fully informed of the views and experiences of women and girls, respectful of their rights and autonomy and complementary to — and supportive of — women's rights movements. In fact, women's organizations, feminist groups and organizations working on the rights of women and girls take the lead in — or partner with — many initiatives to engage men and boys in gender equality issues. In this regard, the Council, in its resolution 35/10, called upon States to fully engage men and boys, alongside women and girls, in achieving gender equality and eliminating violence against women and girls.[13] In the same resolution, the Council further recognizes the critical role of women and girls, as well as of women's and youth organizations and organizations led by women and girls, as agents of change and urges States to meaningfully engage with women and girls as active and equal participants in the planning, design, implementation and monitoring of legislation, policies and programmes, including programmes aimed at engaging men and boys.[14]

9. As discussed above, engaging men and boys does not simply mean involving them. Such engagement must lead to gender transformation. While there is no universally agreed definition, the term "gender-transformative approach" in the present report refers to those approaches that promote a shift from gender norms and stereotypes that are based on the idea of the inferiority or superiority of either of the sexes and unequal power relations between them to gender relations that are based on gender equality and respect for human rights.[15] Gender-transformative approaches to engaging men and boys also imply changing understanding about masculinity, i.e. how male identities are socially constructed and defined, with a view to challenging dominant and violent types of masculinity.

10. When interventions that focus on men and boys are not gender transformative, they may not only detract from the realization of gender equality or the elimination of gender-based violence against women, but in fact perpetuate and reinforce gender inequality and harmful gender stereotypes.[16] In her report in 2014, the Special Rapporteur on violence against women, its causes and consequences expressed concern about the trend of setting up specialized men's organizations to engage men and boys in gender equality issues, observing that many ideologies about the role of men and boys do not focus on women as autonomous beings, disproportionately affected by inequality, discrimination and

[12] Including child, early and forced marriages, female genital mutilation and honour killings. For more detail, see joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women and general comment No. 18 of the Committee on the Rights of the Child.

[13] See para. 9 (a).

[14] Human Rights Council resolution 35/10, para. 5.

[15] See, for example, the Convention on the Elimination of All Forms of Discrimination against Women, art. 5 (a). See also the advocacy brief of the MenEngage Alliance and the United Nations Population Fund (UNFPA): "Engaging men, changing gender norms: directions for gender-transformative action". Available at https://www.unfpa.org/resources/brief-engaging-men-changing-gender-norms.

[16] See A/HRC/26/38, paras. 70–75.

violence.[17] While men and boys may also suffer from discriminatory gender norms and stereotypes, ignoring the relative advantages and privileges men and boys enjoy as a result of such norms and stereotypes risks shifting the focus away from women and girls, who are disproportionately disadvantaged by them.

11. Other strategies of engagement with men and boys build on the idea that women deserve respect as mothers, sisters, wives and so on. These approaches may appear to be strategic in certain contexts of highly discriminatory societies or in order to implicate people in a more personal way. However, they risk maintaining social norms that value women only in their relation to others, rather than as autonomous human beings, entitled to all human rights. Such approaches also reaffirm patriarchal notions of men as "protectors" and, by extension, women as "victims".

12. Some experiences indicate that even with good intentions, interventions to engage men and boys may have the inadvertent outcome of enhancing discriminatory gender stereotypes.[18] Such interventions need constant monitoring of their impacts to avoid adverse effects.[19] Increasing support for engagement by men and boys, without attention to the potential adverse impact, may result in shifting support and resources away from women's empowerment and women's leadership and reinstating men's domination. Such a result would be antithetical to gender equality because, as stated by the Special Rapporteur on violence against women, it would empower the group to which perpetrators belong — which overwhelmingly continues to maintain economic, political and societal structures of power, privilege and opportunity — to offer protection from violence and discrimination.[20]

13. Finally, a potential risk of the framing as "engaging men and boys" is that such framing may limit the understanding of discriminatory gender relations and overlook discrimination and violence against lesbian, gay, bisexual, transgender and intersex persons, including lesbian, bisexual, transgender and intersex women and girls. Violence against lesbian, gay, bisexual, transgender and intersex persons, including against non-binary persons, and violence against women and girls share common root causes, including the need to protect the existing power structure and prevent, discourage or punish behaviours that are perceived as challenging traditional gender norms and stereotypes. Violence against lesbian, gay, bisexual, transgender and intersex persons also hinders efforts to eliminate violence against women. For example, homophobia and transphobia may make men and boys reluctant to renounce patriarchal masculinity, for fear of being perceived as gay if they do not behave violently against women, girls and lesbian, gay, bisexual, transgender and intersex persons.[21] Therefore, for interventions to be gender transformative, they have to combat gender-based violence in all its forms.

III. Ongoing efforts and challenges faced

14. Contributions from various stakeholders and the research conducted pointed to a variety of initiatives and strategies to engage men and boys to promote and achieve gender equality, in particular to eliminate gender-based violence against women and girls. The present section summarizes several examples of such efforts.

[17] Ibid., paras. 72–73.

[18] See, for example, the submissions by the Centre for Health and Social Justice and Family Planning New South Wales.

[19] E.g. the submission by the MenEngage Alliance.

[20] See A/HRC/26/38, para. 72.

[21] Submission by Puntos de Encuentro. See also the submission by Sonke Gender Justice.

A. Combating harmful practices

15. Harmful practices, such as child, early and forced marriage, female genital mutilation, and honour-related killings are deeply rooted in social attitudes according to which women and girls are regarded as inferior to men and boys based on stereotyped roles. Harmful practices are also used to justify gender-based violence as a form of protection or control of women and children by men.[22]

16. Experience shows that efforts to end harmful practices, such as female genital mutilation and child marriage, point to the influential role of religious and traditional leaders, who are dominantly men, in changing those attitudes and beliefs.[23] Case studies in Africa suggested that faith leaders could be a critical intermediary in distilling positive information, particularly for men.[24] In this regard, the African Union Campaign to End Child Marriage, held from 2014 to 2017, used traditional and religious leaders to prevent faith-based support for child marriage. Community awareness campaigns led by chiefs entailed thousands of public declarations to stop celebrating child marriage.[25]

17. In their roles as family members (for example, as sons, husbands, fathers or grandfathers), men and boys were also identified as key potential agents for change.[26] For example, fathers need to be engaged to help change their understanding of what it means to "love" a daughter and to encourage a shift in mindsets from "protecting her" to "empowering her". Deconstructing the meaning of protection and linking it to human rights is crucial for families and communities to challenge the idea, for example, that marriage is to protect girls' safety in contexts of insecurity and violence.

B. Education and awareness-raising

18. Gender norms influence us all. As boys and girls we learn our gender roles from an early stage, internalizing these throughout childhood and adolescence, and by the time we transition into adulthood, these norms are deeply embedded. Gender norms may live from generation to generation, to be passed on through the parent-child relationship. They shape how we understand our own identities. They play an integral role in determining how we relate to others, including to people of a different sex than their own.

19. Helping to disrupt harmful gender norms is a key objective of human rights-based education. The crucial role of education in promoting equal gender relations and transforming discriminatory gender stereotypes was emphasized by many submissions and initiatives. [27] In particular, several submissions and initiatives recognized that comprehensive sexuality education for boys and girls was a key strategic intervention.[28] It was reported that, in several countries, misrepresentations of the purpose of educational

---

[22] Joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child, paras. 6–7.

[23] See https://promundoglobal.org/wp-content/uploads/2015/04/Engaging-Men-and-Boys-to-End-the-Practice-of-Child-Marriage1.pdf.
See also UNFPA and the United Nations Children's Fund (UNICEF), *Joint Evaluation: UNFPA-UNICEF Joint Programme on Female Genital Mutilation/Cutting: Accelerating Change — 2008–2012, Volume I* (New York, 2013), box 23, p. 33. Available at https://www.unicef.org/evaluation/files/FGM-report_11_14_2013_Vol-I.pdf.

[24] See Transforming Masculinities in the submission by Georgetown University.

[25] See A/HRC/35/5, para. 34.

[26] See https://promundoglobal.org/wp-content/uploads/2015/04/Engaging-Men-and-Boys-to-End-the-Practice-of-Child-Marriage1.pdf.

[27] E.g. submissions by Colombia, France, Honduras, Mexico, Norway, Sweden, Switzerland and Uzbekistan.

[28] Submissions by Honduras and Mexico.

curricula intended to promote gender equality, and transform traditional gender roles, fuelled strong resistance by parents.[29]

20. Gender-transformative early childhood development programing was identified as an effective strategy for helping counter discriminatory gender norms and stereotypes and for encouraging more equal gender relations between boys and girls, including children with diverse sexual orientations or gender identities and gender non-conforming. Such programming engages both men and women — parents, caregivers, community leaders and educators — for the purpose of changing the way children are taught so that entrenched discriminatory norms and attitudes based on gender are challenged from early age. It also ensures that girls and boys are provided with equal care and opportunities. Reportedly, such interventions have also promoted support among men for care work and emotional engagement in the upbringing of their children.[30]

21. The arts, media and other forms of communication can either exacerbate or help transform discriminatory gender stereotypes. Some submissions stressed the need to address discriminatory gender stereotypes in the media and other communication channels, including in the public expression of sexism and anti-feminism online,[31] as well as in commercial advertisements.[32]

22. Many submissions highlighted the power of the innovative use of art, the media and other communication tools in support of gender equality, the elimination of gender-based violence and the transformation of discriminatory gender stereotypes. Such interventions include the use of soap operas,[33] rap music,[34] online comics,[35] video blogs[36] and art competitions[37] to disseminate gender-transformative messages. An online media campaign for gender equality in Slovenia included the creation of a virtual "museum of stereotypes", which invited users to share their perceptions.[38] It was reported that these interventions had a strong positive impact on the perceptions and attitudes of adolescent boys. For example, in the Beat the Macho campaign in the Netherlands,[39] boys reacted very positively to the message of popular rap artists asserting non-violent masculinity.[40] In Nicaragua, an evaluation of the impact of a gender-transformative television series revealed that the series had the strongest positive impact on 13–17-year-old boys in conservative areas in terms of changes in attitudes towards gender equality, including increased recognition of women's rights and the importance of consent in sexual relations, as well as the increased acceptance of diverse sexual orientation and gender identity.[41]

---

[29] E.g. the submission by the National Consultative Commission of Human Rights of France.

[30] Submission by Plan International.

[31] Submission by Sweden.

[32] Submission by Czechia.

[33] E.g. the television series "Sexto Sentido" and "Contracorriente" in Nicaragua. See the submission by Puntos de Encuentro.

[34] E.g. If I Could Go Back in Time, by Palestinian hip-hop band DAM (Da Arabian MCs) in collaboration with UN-Women. See www.unwomen.org/en/news/stories/2012/11/palestinian-hip-hop-group-dam-raises-awareness-of-honour-killings-through-a-powerful-music-video. See also the Beat the Macho campaign in the Netherlands (www.rutgers.international/what-we-do/positive-masculinities/beat-macho-campaign) and the submission by Rutgers.

[35] See, for example, the Beat the Macho campaign in the Netherlands and the submission by Rutgers.

[36] Ibid.

[37] E.g. the annual art competition "My human rights" organized by the Slovak National Centre for Human Rights. See the submission by the Slovak National Centre for Human Rights.

[38] Towards Equalizing Power Relations Between Women and Men project. See the submission by Slovenia.

[39] See www.rutgers.international/what-we-do/positive-masculinities/beat-macho-campaign and the submission by Rutgers.

[40] Submission by Rutgers.

[41] Submission by Puntos de Encuentro.

C. Fostering an equal share of responsibility in domestic life

23. Unequal responsibilities of men and women in domestic life are a major factor limiting the participation of women and girls in public life and economic activity. Such an unbalanced distribution also exacerbates the exposure of women and girls to domestic and intimate partner violence. Gender stereotypes perpetuate the image of childcare and domestic work as being women's tasks. Men, on the other hand, "must" be the main breadwinners. This results in a disproportionately heavy domestic work burden for women and girls, confining them to the private sphere and restricting their access to education and their participation in political, economic, social and cultural activities. Therefore, many initiatives focus on engaging men and boys to accept and embrace an equal share of childcare and domestic work, as well as to accept and support women's empowerment more broadly.

24. For example, introducing or expanding paternity leave was considered strategic for a gender-transformative impact in several countries.[42] Sweden reported that men's equal sharing of parental leave with women had proven to have a positive effect, including in terms of an increase in women's wages, improved relationships between fathers and their children and a reduction in violence.[43] In Brazil, the legal framework for early childhood, including the law that extends paternity leave[44] and the law that prohibits corporal punishment,[45] is considered a key legal intervention in transforming men's role in the family.[46] It was reported that programmes on preventing violence that targeted young fathers in Rwanda[47] and the post-conflict northern region of Uganda[48] and that promoted the positive engagement of men in childcare and their equal sharing of childcare responsibilities with women led to a reduction in intimate partner violence and violence against children.

25. In Brazil and Rwanda, civil society organizations are taking initiatives to facilitate men's support for women's economic empowerment. Such initiatives are based on the research that suggests that women might experience higher levels of violence by male partners when they have higher levels of income than their male partners,[49] as such a state of affairs might be perceived as a threat to a man's role as breadwinner. In Brazil, an initiative aims to transform men's negative gender attitudes towards women's economic activities, in support of the national Bolsa Família programme.[50] The Bolsa Família Companion programme shifted men's perceptions and made them accept a larger proportion of childcare and domestic responsibilities, thus freeing up women's time for economic activities. Male participants in the programme also accepted more equal decision-making power for women concerning family spending.[51] The initiative in Rwanda indicated that involving men and their partners in the community activities and discussions on

[42] E.g. Brazil, Czechia, France, the Netherlands and Sweden. See the submissions by Czechia, France, Promundo Brazil and Rutgers. See also Programme P, a toolkit for reaching expectant fathers as partners in maternal and child health and violence prevention, developed by Promundo.

[43] Submission by Sweden.

[44] Brazil, Act No. 13257 of 8 March 2016. Available at www.planalto.gov.br/ccivil_03/_ato2015-2018/2016/lei/l13257.htm.

[45] Brazil, Act No. 13010/2014 of 26 March 2014. Available at http://legislacao.planalto.gov.br/legisla/legislacao.nsf/Viw_Identificacao/lei%2013.010-2014?OpenDocument.

[46] Submission by Promundo Brazil.

[47] Programme P. See the submission by Promundo United States.

[48] The Responsible, Engaged and Loving Fathers initiative. See http://irh.org/wp-content/uploads/2016/10/REAL_Fathers_Prevention_Science_2016.pdf.

[49] Submission by Promundo United States.

[50] See https://promundoglobal.org/programs/bolsa-familia-companion-program.

[51] See https://promundoglobal.org/2016/08/02/final-stages-economic-empowerment-project-promundo-trains-hundreds-professionals-gender-transformative-methodologies.

women's participation in economic and public life resulted in increased women's income, as well as in greater participation of men in childcare and in a reduction in couples' conflicts.[52]

D. Promoting gender equality in health

26. Violations of the right to health, in particular sexual and reproductive health and rights, undermine the enjoyment of a wide range of human rights by women and girls and thus exacerbate gender inequality. Certain of these violations are also forms of gender-based violence, such as forced sterilization, forced abortion, forced pregnancy, criminalization of abortion, denial or delay of safe abortion and/or post-abortion care, forced continuation of pregnancy, and abuse and mistreatment of women and girls seeking sexual and reproductive health information, goods and services.[53] In addition, lack of enjoyment of sexual and reproductive health and rights has implications for the enjoyment of other human rights, such as education and work, the deprivation of which can also contribute to the heightened risk of women and girls to violence. Engaging men and boys is particularly relevant in the context of sexual and reproductive health and rights, in which gender norms play a powerful role in dictating the terms under which couples choose to engage in sexual intercourse, whether they do so safely, whether they seek to have children and how they communicate about their health status.

27. The World Health Organization has documented the positive impact of engaging men and boys in interventions that are relevant to women's health.[54] The evidence reviewed confirmed that men and boys had changed their behaviour and attitudes as a result of programme interventions focused on sexual and reproductive health, HIV prevention, maternal and newborn health, fatherhood and/or gender-based violence, with positive results for men, their partners, their children and their families.[55]

28. Several submissions reported initiatives focused on engaging men and boys in the area of sexual and reproductive health.[56] For example, Colombia has established a National Intersectoral Commission for the Promotion and Guarantee of Sexual Rights and Reproductive Rights, which promotes strategies for the transformation of gender roles and gender inequality.[57] The United Nations Population Fund (UNFPA), in collaboration with civil society organizations, has produced a number of studies, tools and guidance over the years on engaging men and boys in gender equality, in particular in the areas of sexual and reproductive health and gender-based violence against women.[58]

E. Breaking the cycle of violence

29. Studies show that those who are exposed to or experience violence, ranging from corporal punishment, bullying, child abuse and exploitation, intimate partner violence and street violence to armed conflict, are at increased risk of becoming perpetrators of violence against women and girls during later stages of their lives.[59] As the majority of perpetrators

---

[52] See https://promundoglobal.org/programs/journeys-of-transformation.

[53] Committee on the Elimination of Discrimination against Women, general recommendation No. 35, para. 16.

[54] Gary Barker, Christine Ricardo and Marcos Nascimento, *Engaging Men and Boys in Changing Gender-based Inequity in Health: Evidence from Programme Interventions* (Geneva, World Health Organization, 2007). Available at www.who.int/gender/documents/Engaging_men_boys.pdf.

[55] Ibid., pp. 27–29.

[56] E.g. submissions by Austria, Family Planning New South Wales, the MenEngage Alliance, Plan International and Promundo United States.

[57] Submission by Colombia.

[58] See https://www.unfpa.org/engaging-men-boys.

[59] See Human Rights Council resolution 35/10, preamble.

of gender-based violence against women are men and boys, supporting men and boys who experienced or were exposed to violence is one of the key measures for violence prevention. In particular, many interventions aimed to support men to build non-violent and caring fatherhood.[60] Such initiatives include increased engagement of expectant or young fathers in maternal and child health. The Responsible, Engaged and Loving Fathers initiative, a community-mentoring programme engaging young, first-time fathers to reduce intimate partner violence and physical punishment of children in Uganda, reported that it reduced intimate partner violence and physical punishment of children committed by young fathers.[61]

30. Several States reported efforts made to rehabilitate the male perpetrators of gender-based violence against women and girls, through the provision of treatment and counselling.[62] It was pointed out that open communication in a safe space created by individual and/or group counselling helped men to share their own life stories and perceptions, including reflecting on insecurity and the fear of losing power. Feeling that their experiences were being heard provided an opportunity to learn about non-violent and more equitable ways of relating to others.[63] Caution was suggested, however, as the safety of victims/survivors must be secured in such interventions.

31. Men and boys experiencing or witnessing the traumatic events of violence in conflict and post-conflict situations are later associated with higher levels of domestic and intimate partner violence.[64] The global strategy on sexual and gender-based violence of the Office of the United Nations High Commissioner for Refugees (UNHCR)[65] includes engaging men and boys as one of the six action areas. It recognizes men and boys both as the potential agents of change as well as potential victims of sexual and gender-based violence.[66] In Lebanon and the Syrian Arab Republic, UNHCR involves men and boys to develop awareness-raising materials on sexual and gender-based violence and its prevention. The active involvement of youth groups, men and boys as agents of change is also a key feature of the UNHCR response in Mauritania and Yemen. In the displacement camps of Kachin State in Myanmar, UNFPA supports a network of male volunteers to raise awareness of the need to end violence and the need to intervene if it happens. Community-based programmes, such as those targeting both men and women in post-conflict situations to help them recover from trauma,[67] rebuild their lives and adopt positive coping mechanisms, as well as those targeting young persons (both male and female) to strengthen their agency and voice to respond to negative gender norms,[68] resulted in positive outcomes.

F. Establishing a legal and policy framework

32. Establishing a comprehensive legal and policy framework on gender equality, non-discrimination and the elimination of all forms of gender-based violence is the foundation for progress towards gender equality. A number of contributions indicated that a lack of or

[60] Programme P of MenCare, a global fatherhood campaign. See https://men-care.org/resources/program-p. Submissions by Georgetown University and Promundo United States.

[61] Submission by Georgetown University.

[62] Submissions by Japan, Mexico and Norway.

[63] Submission by MenCare.

[64] Submission by Promundo United States.

[65] UNHCR, "Action against sexual and gender-based violence: an updated strategy", 2011.

[66] As regards sexual and gender-based violence against men and boys, see, for example, the report of the Commission on Human Rights in South Sudan. Available from www.ohchr.org/EN/HRBodies/HRC/CoHSouthSudan/Pages/Index.aspx. Several other United Nations investigations have also addressed sexual and gender-based violence against men and boys.

[67] Living Peace initiative in the Democratic Republic of the Congo. See the submission by Promundo.

[68] The Gender Roles, Equality and Transformation project in the Democratic Republic of the Congo, Mozambique and Uganda (see http://irh.org/projects/great_project). See also the submission by Georgetown University.

weak legal and policy frameworks or the existence of discriminatory law undermine the capacity of actors, including Governments, national human rights institutions and civil society organizations to combat gender-based violence against women.[69] Men are often in decision-making positions with respect to efforts to reform such laws and policies, and thus engaging them will be crucial.

33. Integrating gender-transformative interventions, including those that engage men and boys, in long-term public policies and programmes on violence prevention and promotion of gender can be an effective measure to scale up efforts to transform social norms and attitudes.[70] Some countries recognized the role of men and boys in their national policies and strategies on gender equality or violence against women. For instance, Egypt has adopted its National Strategy for the Empowerment of Egyptian Women 2030, which recognizes the collective responsibility of men and boys in women's empowerment.[71] The National Policy against Gender-based Violence in Rwanda, adopted in 2011,[72] recognizes not only women and girls but men and boys as victims of gender-based violence and acknowledges the need to foster dialogue between men and women, and boys and girls, aimed at changing the cultural, social, economic and other systems and structures that deny human rights and equality between women and men.[73] Sweden has adopted a national strategy to prevent and combat men's violence against women for the period between 2017 and 2026, which has a specific focus on universal violence prevention, targeting stereotypical norms of masculinity as a cause of violence.[74]

G. Building institutional capacity

34. Public and private institutions, including in the executive, the judiciary, parliaments and in educational and health systems, are key to promoting gender equality and to preventing and responding to gender-based violence. Therefore, it is crucial that these institutions adopt a gender-transformative approach, including in their interactions with men and boys. Some submissions highlighted that some of the challenges for these institutions to adopt a gender-transformative approach included gender bias and the lack of understanding by the professionals working in such institutions of the impact of discriminatory gender stereotypes.[75] Resistance against efforts to change negative gender norms and stereotypes by religious institutions and leaders was also mentioned as an obstacle.[76]

35. As an example of an effort to engage the judiciary in the elimination of gender-based discrimination and bias, OHCHR prepared a study, "Eliminating judicial stereotyping: equal access to justice for women in gender-based violence cases", in 2014 and has been conducting training sessions and conversations with the judiciary on their role in challenging wrongful gender stereotyping by lower courts, as well as norms and practices that embody harmful stereotypes and that could result in violations of human rights and constitutional guarantees.[77] The Council of Europe, with the support of OHCHR, has developed the *Training Manual for Judges and Prosecutors on Ensuring Women's Access*

---

[69] Submissions by the Human Rights Defender's Office of Armenia, the Human Rights Ombudsman of Guatemala, the National Centre for Human Rights of Jordan, the Slovak National Centre for Human Rights and Sonke Gender Justice.

[70] See, for example, the submission by the Centre for Health and Social Justice.

[71] See http://ncw.gov.eg/wp-content/uploads/2017/04/womens-stratagy.pdf.

[72] See www.migeprof.gov.rw/fileadmin/_migrated/content_uploads/GBV_Policy-2_1_.pdf.

[73] Ibid., p. 13.

[74] Submission by Sweden. See also www.government.se/4afec2/contentassets/efcc5a15ef154522a872d8e46ad69148/161219-infokit-uppdatering2.pdf.

[75] Submission by Rutgers.

[76] Submissions by Switzerland and Restored.

[77] See www.ohchr.org/Documents/Issues/Women/WRGS/judicial_stereotyping2014.docx.

to Justice,[78] which addresses judicial gender stereotyping and bias as one of its conceptual frameworks.

H. Social and community mobilization

36. Efforts to promote social and community mobilization for gender equality were reported. For example, at the global level, the HeForShe campaign of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women),[79] launched during the sixty-ninth session of the General Assembly in September 2014, aims to mobilize men and boys globally to stand up and take action for the achievement of gender equality.

37. At the national level, the White Ribbon Volunteers Network of China organized a series of public dialogue forums entitled "Men talk stories" in 2014. The forums aimed to strengthen social norms, promote non-violent masculinities and gender equality and facilitate the elimination of gender-based violence and homophobia. Based on these dialogues, the network produced a documentary and published a book entitled *The Voices of Men*.[80]

38. In the Plurinational State of Bolivia, networks of men who call themselves "Tupac Katari" organized themselves at municipal level to fight against gender-based violence against women and girls in 30 municipalities, in partnership with women community promoters.[81] Some other initiatives, such as Promundo's Programme H, target or include young men and boys, engaging them in peer or group education, communication campaigns, community mobilization and activism.[82]

39. At the same time, it was stressed in some submissions that regressive narratives in relation to gender equality were an impediment to engagement with men and boys. For example, in several countries in Europe and Latin America, "gender" terminology is opposed by political and religious leaders.[83] Such narratives postulate a "complementary role" for women in relation to the role(s) of men, both in family and society. They are structured around supposed innate differences between women and men, and thus seek to embed a "natural" or "traditional" basis for gendered roles. It was observed that such a discourse undermined efforts to promote gender equality, including efforts to engage men and boys.[84] Likewise, concern was expressed that, in some settings, affirmation of women's human rights was being met with counter (but false) narratives asserting that upholding the rights of women meant a "loss" of rights for men.[85]

---

[78] See https://rm.coe.int/training-manual-final-english/16807626a4.

[79] See www.heforshe.org/en.

[80] UNFPA, "UNFPA engagement in ending gender-based violence" (New York, 2016), p. 15. Available at https://www.unfpa.org/sites/default/files/resource-pdf/UNFPA_Brochures_on_GBV_Prevention_and_response.pdf.

[81] Submission by Plurinational State of Bolivia.

[82] Such initiatives include:
Programme H by Promundo and the Gender Roles, Equality and Transformation project in Uganda by Georgetown University. See also the submission by Georgetown University and the police campaign against "party rape" referred to in the submission by Norway.

[83] See, for example, for Europe, CEDAW/C/SVK/CO/5-6 and CEDAW/C/POL/CO/7-8. For the Americas, see the Inter-American Commission on Human Rights, press release of 8 March 2018, "On International Women's Day, the IACHR urges States to refrain from adopting measures that would set back respect for and protection of women's rights". Available at www.oas.org/en/iachr/media_center/PReleases/2018/044.asp.

[84] Submission by the Slovak National Centre for Human Rights.

[85] E.g. submission by the MenEngage Alliance.

I. Methodologies for a gender-transformative approach

40. As discussed under sections II and III above, for initiatives to engage men and boys in gender equality issues and the elimination of gender-based violence against women and girls, they have to be gender transformative in their objectives and outcomes and have to meet certain methodological criteria, such as full respect for the rights, autonomy and leadership of women and girls, and engagement with women, girls and their organizations.[86] As an example of methodologies for a gender-responsive engagement of men and boys, the MenEngage Alliance has developed concrete guidance on how work with men and boys can be done effectively, while putting the rights and leadership of women and girls at the centre. The Alliance's Accountability Standards and Guidelines[87] and Code of Conduct [88] suggest: seeking regular feedback from women's rights organizations for work carried out to engage men and boys; involving women in decision-making processes for interventions on engaging men and boys; allocating a certain number of board seats to members of women's rights organizations; creating "advisory councils" of women's organizations; inviting women's rights organizations to conduct programmes together with efforts on men and boys; and/or contributing in solidarity to women's rights organizations through joint advocacy or activism.

41. A gender-transformative approach aims to change gender norms and relations in society. Changes in attitudes, behaviours and norms at an individual level are not sufficient to drive change at societal level. To make systemic change, efforts need to be undertaken at multiple levels, in the home, in the community, in local and national institutions and through legal and policy frameworks and across public and private spaces.[89] In this regard, the Alliance has adopted a "socio-ecological model" for engaging men and boys to eliminate gender-based violence, which combines: interventions that aim to change men's individual behaviour and behaviour within relationships with women and girls; interventions targeted at communities that aim to transform dominant social norms regarding gender and violence; interventions that aim to embed positive gender norms in institutions, such as the health and education systems and law enforcement; and national policies and laws that engage men and boys in gender-based violence prevention.[90]

42. A number of those who made submissions emphasized the importance of a strong evidence base for identifying strategic entry points and designing effective interventions, and recognized that insufficient evidence remains a challenge.[91] One of the goals of the Government Strategy for Equality of Women and Men in Czechia between 2014 and 2020[92] is systematic identification of the ways to efficiently eliminate gender stereotypes and unconscious prejudices in all spheres and at all levels of society.[93] In Portugal, the Government published a White Paper on men and gender equality,[94] which summarized the relevant information on men, male roles and gender equality and helped identify challenges and recommendations in that area, in order to be discussed and weighed by all bodies and

[86] See also Human Rights Council resolution 35/10, para. 9 (d).

[87] See http://menengage.org/wp-content/uploads/2015/11/MenEngage_Accountability-Standards-and-Guidelines.pdf.

[88] See http://menengage.org/wp-content/uploads/2015/11/MenEngage-Global-Code-of-Conduct.pdf.

[89] Commission on the Status of Women, "The responsibility of men and boys in achieving gender equality, Chair's summary", 2015, para. 3. Available at www.unwomen.org/-/media/headquarters/attachments/sections/csw/59/meetings/chairs_summary_men_boys.pdf?la=en&vs=3738.

[90] MenEngage Alliance, policy brief, "Accelerating efforts to eliminate violence against women: engaging men and boys in preventing and responding to violence against all women and girls", 2017.

[91] Submissions by Mexico and Promundo United States.

[92] See https://www.vlada.cz/assets/ppov/rovne-prilezitosti-zen-a-muzu/Projekt_Optimalizace/Government_Strategy_for-Gender_Equality_2014_2020.pdf.

[93] Ibid., p. 25.

[94] See http://cite.gov.pt/asstscite/images/papelhomens/P_Brief_III_en.pdf.

social actors interested in promoting gender equality in Portuguese society. In Qatar, the National Human Rights Committee[95] conducted a survey on citizens' views on the civil, political, economic and social rights of women in society to identify strategic entry points for engaging men and boys.[96]

43. Many actors, including several United Nations entities,[97] adopted the methodology of the International Men and Gender Equality Survey,[98] developed by Promundo and the International Centre for Research on Women, to collect data and to build an evidence base for policymaking. The Survey is a comprehensive, multi-country study on men's realities, practices and attitudes with regard to gender norms, gender-equality policies, household dynamics, caregiving and fatherhood, intimate partner violence, sexual diversity and health and economic stress, among other topics. It includes both women and men as respondents. The outcome of the Survey informed national public policies, for example in Brazil, Chile and Croatia.[99]

44. Violence against children surveys have been used by the Together for Girls partnership,[100] a global public-private partnership against violence against children. The surveys collect nationally representative data on emotional, physical and sexual violence against girls and boys, as well as on the circumstances and perpetrators of violence, reporting and service use, and health and well-being outcomes. The process is led by a multisectoral task force of government ministries, civil society and Together for Girls partners, and the data informs long-term violence prevention and response policy and programme implementation, including through engaging men and boys.[101]

IV. Conclusions and recommendations

45. **Engaging men and boys is a critical element of strategies to dismantle patriarchy in order to achieve gender equality and eliminate gender-based violence against women and girls. Clearly, the transformation of beliefs, attitudes and behaviours of men and boys is necessary to achieve these goals. In order to be transformative, interventions that focus on men and boys must challenge unequal power relations and structures, based on the recognition of how patriarchy is privileging men and boys and oppressing women and girls. In the absence of these premises, there is a risk that initiatives to engage men and boys may preserve and reinforce gender inequality and patriarchal and discriminatory gender stereotypes. In the same vein, interventions focused on men and boys should be designed in consultation with women's rights advocates to make sure their concerns and perspectives are considered.**

46. **Engaging men and boys as agents for achieving gender equality and eliminating gender-based violence must be based on a critical analysis of the privileges they enjoy as a result of discriminatory power structures, and re-engage them as allies and partners to support the human rights of women and girls and gender equality. In the process, the benefits for men and boys of such a transformation will also be realized, including more positive, non-violent, equal and inclusive gender relations based on full respect for the human rights and dignity of all.**

---

[95] See www.nhrc-qa.org.

[96] Submission by the National Human Rights Committee of Qatar.

[97] Including UN-Women, UNFPA and the United Nations Development Programme.

[98] See https://promundoglobal.org/programs/international-men-and-gender-equality-survey-images/.

[99] Submission by Promundo United States.

[100] Together for Girls is a partnership among national Governments, United Nations agencies and private sector organizations, working at the intersection of violence against children and violence against women, with special attention on sexual violence against girls. See https://www.togetherforgirls.org.

[101] Submission by Together for Girls.

47. **Various strategies for meaningfully engaging men and boys for gender equality include:**

(a) **Engaging men and boys in combating harmful practices through their roles as, among others, religious and traditional leaders, fathers, sons, family members, teachers, health professionals and members of the community;**

(b) **Helping transform discriminatory gender norms and stereotypes and promoting non-violent, respectful and equal gender relations through education and communication, including through: gender-responsive early childhood education and development, the integration of gender equality content into curricula at all levels of education and scientifically based and age-appropriate comprehensive sexuality education;**

(c) **Promoting equal sharing of responsibilities in unpaid care and domestic work, including through parental leave policies and increased flexibility in working arrangements;**

(d) **Promoting full respect for the sexual and reproductive health and rights of women, girls, men, boys and non-binary persons, emphasizing the importance of dismantling discriminatory stereotypes in this area and supporting behavioural change;**

(e) **Adopting a life cycle and intergenerational approach, including through the rehabilitation of perpetrators of gender-based violence to prevent reoffending and support for men and boys who have witnessed and suffered from violence, in addition to support for women and girls who have been exposed to and experienced such violence;**

(f) **Promoting the engagement of men in positions of authority and as advocates to support the establishment of a legal and policy framework that guarantees gender equality, prohibits and eliminates discrimination and prevents and responds to all forms of gender-based violence in all spheres of life;**

(g) **Engaging men who have influence within public institutions relevant to the prevention and response to gender-based violence to address bias in such institutions and adopt gender-transformative approaches. This includes institutions in education, health, social protection, law enforcement and justice systems;**

(h) **Mobilizing men and boys for gender equality and the elimination of gender-based violence at community and societal level, in partnership with women's rights movements.**

48. **In their efforts to engage men and boys to promote and achieve gender equality and to eliminate gender-based violence against women, States, national human rights institutions, civil society organizations, United Nations entities and development partners should:**

(a) **Invest in efforts that engage men, boys, women, girls and non-binary persons to challenge unequal power relations and to transform discriminatory gender stereotypes and social norms to promote non-violent, equal and inclusive relationships that are also inclusive of lesbian, gay, bisexual, transgender and intersex persons;**

(b) **Build a strong evidence base for effective policy and programme design and ensure rigorous monitoring to assess the actual impact of interventions on the transformation of discriminatory gender norms and stereotypes, the promotion of gender equality and the prevention and reduction of gender-based violence against all women and girls;**

(c) **Pay due attention to the intersection of discrimination and discriminatory stereotypes based on gender and other grounds, such as race, economic and social status, sexual orientation and gender identity, disability, and cultural and religious background;**

(d) Ensure the active and meaningful participation of women and girls and effective collaboration with women's organizations and feminist groups in efforts to engage men and boys. Such participation should include policy and programme design, the delivery of programmes and services, as well as monitoring and evaluation;

(e) Combine efforts to engage men and boys with investment in ensuring an enabling environment for the work of women and girls human rights defenders, women's rights organizations and feminist groups;

(f) Take a comprehensive, multilevel, multisectoral and multi-stakeholder approach to transform discriminatory gender norms and relations. This means that relevant efforts should be made at multiple levels, in the home, in the community, in local and national institutions and through legal and policy frameworks and coordinated across various sectors, including education, health, social protection, law enforcement and justice systems;

(g) Provide financial, technical and human resources to the long-term efforts to engage men and boys in achieving gender equality and eliminating gender-based violence against women and girls, without diverting existing resources allocated to promote women's rights and support women's empowerment and leadership.